BUILDERS
OF
MODERN
INDIA

Ganesh Vasudeo Mavalankar

M.V. Kamath

Digitized by the Internet Archive
in 2018 with funding from
Public.Resource.Org

https://archive.org/details/ganeshvasudeomav00kama





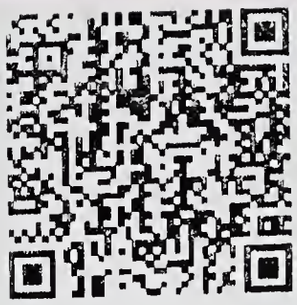
BUILDERS OF MODERN INDIA

Ganesh Vasudeo Mavalankar

M.V. Kamath

PUBLICATIONS DIVISION
MINISTRY OF INFORMATION AND BROADCASTING
GOVERNMENT OF INDIA

September 1990 (Ashavina 1912)



© Publications Division

Price : Rs. 36.00

PUBLISHED BY THE DIRECTOR PUBLICATIONS DIVISION
MINISTRY OF INFORMATION AND BROADCASTING
GOVERNMENT OF INDIA
PATIALA HOUSE NEW DELHI-110 001

Sales Emporia • Publications Division

SUBPER BAZAR CONNAUGHT CIRCUS NEW DELHI 110001

COMMERCE HOUSE CURRIMBHOY ROAD BALLARD PIER BOMBAY 400038

8 ESPLANADE EAST CALCUTTA 700069

LLA AUDITORIUM 736 ANNASALAI MADRAS 600002

BIHAR STATE COOP. BANK BUILDING ASHOKA RAJPATH PATNA 800004

PRESS ROAD TRIVANDRUM 695001
10-B STATION ROAD LUCKNOW 226001

STATE ARCHAEOLOGICAL MUSEUM BUILDING PUBLIC GARDEN HYDERABAD 500004

Printed at Nutech Photolithographers

About the Series

THE MAIN PURPOSE of this series is to record the chronicle of struggles and achievements of eminent men and women of India, who have spearheaded our freedom movement and national renaissance. Designed in the form of biographies, these handy volumes, written by knowledgeable people, outline a brief account of the life and contribution of the eminent leaders of this country. These volumes are meant to be constant source of inspiration for the present generation as well as for posterity. These are not intended either to be comprehensive study or to replace the more elaborate biographies.

Except in a few cases, such authoritative biographies have not been available. Besides, it has not been possible to publish them in a chronological order as the work of writing these volumes are entrusted to a cross—section of people. This Division aims to bring out biographies of all the eminent national personalities within a short period. Widest possible coverage of the great men and women of India under this series is the objective.

Acknowledgements

Dada Saheb Mavalankar : Father of Lok Sabha : Subhash Kashyap (ed); National Publishing House, Delhi. pages 230.

G.V. Mavalankar: Speeches & Writings : Lok Sabha Secretariat, New Delhi; pages 152

Report of the Gujarat University Committee pages 175

G.V. Mavalankar: Father of the Lok Sabha: Harold Laski Institute of Political Science, Ahmedabad; pages 56.

Free India's First Speaker; Harold Laski Institute of Political Science, Ahmedabad; pages 60.

Parliamentary Democracy in India: A symposium: Harold Laski Institute of Political Science, Ahmedabad. pages 64.

The Office of the Speaker; Harold Laski Institute of Political Science, Ahmedabad. pages 18.

The Role of a Private Member of Parliament; R. Venkataraman, Harold Laski Institute of Political Science, Ahmedabad. pages 18.

Dada Saheb Mavalankar: Tributes to His Memory, Lok Sabha Secretariat, New Delhi pages 42.

Parliament Secretariat: Silver Jubilee Souvenir. pages 34

A Great Experiment: G.V. Mavalankar; All India Congress Committee; New Delhi; pages 20

Points of Advice to my sons: G.V. Mavalankar; pages 10

The National Rifle Association, India pages 21.

Dada Saheb Mavalankar: A Profile: pages 15.

Silver Jubilee Souvenir: Ahmedabad Education Society.

My Life At the Bar: G.V. Mavalankar; The Hindustan Times, Delhi; pages 177

My College Days: G.V. Mavalankar; Gujarat College Magazine; Diamond Jubilee Number.

The following Addresses by G.V. Mavalankar to:

(a) Presiding Officers conference held at Gwalior (1953), at Srinagar (1954)
(b) Conference of Local Bodies (1950)
(c) Madhya Bharat Municipal Conference, Indore (1949)
(d) Bombay Provincial Secondary Teachers' Conference.
(e) All India Oriental Conference (1953).
(f) Indian History Congress (1954)
(g) Kasturba Gandhi National Memorial Trust (1953)
(h) Unveiling of Gandhi's portrait.

Contents

I	The Formative Years in Legal Career.	1
II	The Gandhi Influence	50
III	Early Moorings in Political Life	75
IV	Ambidextrous Handling of Legislature and Public Life	98
V	Moulding Free India's Parliament Through Transition	160
VI	Father of The Lok Sabha	180
VII	Rare Points of Advice	195
VIII	Last Fight Against Social Injustice	205
Appendix		215

Introductory

Ganesh Vasudeo Mavalankar: A Biography

WHEN GANESH VASUDEO Mavalankar was born on November 27, 1888 in Baroda there must have been many knowing smiles in heaven. Neither the dai who assisted at the delivery, nor the child's parents, nor its immediate family, let alone the good people of Baroda could have known that the new arrival was destined to be the first Speaker of the Parliament in free India. Heaven must have known.

Ganesh was born in the home of his maternal grandfather Shri Raghunath alias Bhausaheb Khandekar who was in the police service of the Gaekwads of Baroda. It was then, as it is even now, customary for the daughter of the house to have her first delivery at her parents' home. Thus it was that though his paternal home was in Ahmedabad, Ganesh was born in Baroda. He was, however, not to live there for long. For his father, Vasudeorao was in the Government of Bombay's judicial service and as a sub-judge was liable to be frequently transferred. Ganesh, in the circumstances was to grow up in his early childhood in such distant places as Mahad, Deorukh and Rajapur. With each transfer Vasudeorao took his family with him. Travel was by no means easy. The motor car was still a distant dream. Vasudeorao had to make do with bullock carts. Travel, if slow, was like life itself, leisurely. It was only after

Vasudeorao's untimely death at the age of 39 that Ganesh was returned to the ancestral place in Ahmedabad.

For a Mahashtrian family to have its ancestry in Gujarat was not very common. As the family surname so accurately testifies, Ganesh's ancestors were originally from a village in Konkan called Mavalange, situated on a hillock in the Ratnagiri district of Bombay Presidency. They were thus called Mavalankars, following the practice of adding the suffix 'kar' meaning 'belonging to' to the place of origin. Mavalange-kar became Mavalankar.

The Mavalankars were revenue collectors for the Peshwas with their capital in Pune. As long as the Peshwa-shahi continued, the status and power of the Mavalankars was assured. It was with the collapse of the Maratha Empire and the rise of British power that Mavalange's revenue collectors began to feel the pinch of poverty. There was chaos in the land. The British first had to consolidate their power and establish their supremacy. That was more easily said than done.

We go back to around 1740 to 1750. It was the reign of Balaji Rao or Nana Sahib, as he was called, the third great Peshwa of the Maratha State during Shahu's life time. Nana Sahib succeeded Baji Rao I on 25 June 1740. His regime of 21 years was packed with momentous events. It was to see the end of an epoch—the Mughal empire of India. Balaji's reign also saw the zenith of the expansion of the Maratha State in India.

But Balaji committed one cardinal error. He destroyed the naval power of Tulaji Angria with the help of the British, not realising the political danger coming from the sea-powers of the West like the Portuguese, the French and the British.

Tulaji Angria, unfortunately, was often arrogant and disloyal and did not keep on good terms with the Peshwa. His opposition and disloyalty became a thorn in the sides of Balaji. Foolishly, he sought the help of the British in the home affairs of the Maratha State. As S.V. Puntambekar has written in *The*

Maratha Supremacy (Bharatiya Vidya Bhavan, Vol 8), "it was the greatest mistake committed". Tulaji had defied western powers on the seas and checked their aggression and ambition for years. Balaji just did not grasp the importance of that fact. The British were quite happy when they were wooed by Balaji. They now had the opportunity to crush the Maratha naval power. Following the treaty of aggression against Tulaji signed between the Peshwa and the British, Tulaji was defeated by the combined forces and Suvarnadurg was captured on 4 April 1755. Vijayadurg fell on 13 February 1756. The British took possession of Vijayadurg and now the entire western coast came under the control of the British. The time had come for the Mavalankars to make their move.

2

The Mavalankars' *moola purusha* (founder of the family), one Narasimha Bhat Satyavadi had come to Mavalange in Sangameshwar taluka of the present Ratnagiri district in 1150 A.D. Rajwade, the historian, has attested to the fact that Narasimha Bhat was the first and most prominent of the Karhade families to settle in Konkan. The family thrived until the time of Balaji, when the head of the Mavalankar family, Baji Mavalankar lost his job as collector of revenue. His *sardeshmukhi* was taken over by the Peshwas about 1754. Having lost his livelihood, Baji Sardesai Mavalankar turned to one Baburao Kher, brother of Govindpant Kher, alias bundele, the subhedar of Bundelkhand and represented the latter at the court of the Peshwas in Pune. It was Baburao Kher who helped Baji Mavalankar to get a post at Borsad Fort in the territory of the Gaekwads.

This was to be the beginning of the Mavalankar dynasty in Gujarat.

Baji's eldest son Shri Laxman, born in Borsad later moved to Ahmedabad when the Gaekwad Station was shifted to the city. It was Laxman who obtained land in the Bhadra area of Ahmedabad where successive Mavalankars continued to live.

Laxmanrao's son, Narsopant, born in 1800, rose to great eminence in the service of the East India Company's Indian administration, starting from a monthly salary of seven rupees as a *talati* to becoming an Assistant Revenue Commissioner at a comparatively young age of 33, and then getting a special promotion receiving a then princely monthly salary of seven hundred rupees plus some perks and privileges. The Company's Court of Administration also gifted to him the two villages of Narol and Ropda in Ahmedabad district for three generations. Ganesh's father, Vasudevrao was thus the last 'land-lord' of Narol.

Narsopant knew Marathi and Gujarati very well. By dint of hard work and because of his integrity and incorruptibility he earned an universal reputation and was immensely loved and respected by the people everywhere.

Baji Mavalankar had come to Gujarat in 1750 "as almost beggar" as Ganesh was to write to his sons. But they had one thing going for them, and that was truthfulness, and that made them rise up the social scale. As we have seen by 1800, the third generation Mavalankars in Gujarat had already made its mark. Even greater things were in store for the coming generations. Ganesh's grandfather, Keshavrao served in the educational field. Indeed, for a while, he even acted as Tutor to the Maharaja of Bansda and Kolhapur States, no small honour. All his three sons proved to be of high intellectual calibre and culture. The eldest, Vamanrao, was a scholar of Sanskrit, Greek and Latin. The second son Damodar, became a world-renowned Theosophist who worked closely with Madame Blavatsky and Col. Alcott, co-founders of the Theosophical Society of India. The youngest Vasudevrao, Ganesh's father proved his legal excellence as a very upright and impartial judge.

Vasudeorao did not live long. Had he lived on, he might possibly have gone on to rise high in the judiciary. His career was cut short when he died at the young age of 39, leaving behind his young wife Gopika and his only son Ganesh. They

had now only one place to go: the ancestral home in Bhadra, Ahmedabad to what came to be known as the Mavalankar *haveli.*

It was a large household full of uncles and aunts and cousins but Ganesh was always close to his mother who, to the last days of her life—she died in 1951 full of years—was possessive of her only son. Ganesh was everything to her. She doted on him. Even in his adult years Ganesh remained her dutiful son. There was not a day when he would not spend some time with her and tell her of the day's happenings. If he went out, he would tell her where he would be going and when he could be expected back. Strong were the bonds between mother and son.

It was a disciplined life at home. The Mavalankars are brahmins belonging, like the Khers, to the Karhada community which is a comparatively small one. Even in Maharashtra, the Karhada brahmins as a whole are not numerically large. But by and large their rites and rituals are the same as those of other brahmin groups and the marriage ritual, for instance, would include *kanyadaan, lajahoma* and *saptapadi.* The worship of Ananta and the days of *Lalita Panchami* and *Durgashtami* are particularly observed and the recitation of *Saptashati during the Navaratra* festival is common among them. Young Ganesh would participate in all the festivals. Following his *upanayanam*, he observed *sandhya* like any brahmin boy. Even after he got married and had a growing family, rituals were strictly observed. The entire family would have food together, seated on the floor, observing seniority in the seating arrangement. All the sons had to wear *pitambar* dhotis and sit cross-legged behind their *vatis* and were not permitted to eat till the oblations were given. All, of course, were also expected to be bare-bodied and the wearing of *yajnopavitam* was compulsory.

On one occasion Ganesh himself as a small boy came to lunch minus his holy thread. This was discovered on the spot. He was asked for an explanation. Since no plausible explanation was forthcoming, he was refused food. He was ordered to go to the

nearest available priest, get a duly sanctified *yajnopavitam*, recite the gayatri a thousand and eight times and then report home before he was fed. The boy had to go without food or even a drop of water until he had fulfilled the strict conditions of a brahmin household.

Ganesh, obviously, was brought up on that same brahminic discipline. The family spoke Marathi at home but it was adept in Gujarati and adapted itself to it. In due course Ganesh, having had his early education in several moffusil schools in places where his father had been transferred, matriculated from the Government R.C. High School, Ahmedabad. It was the year 1904.

Examinations in those days were held in November and the results were declared in December. No big deal since there were hardly a few hundred students graduating from the matriculation class and answer papers were easily assessed within the stipulated period. The results that year were declared on 23 December and colleges opened for the first term in January. Till 23 December 1904, Ganesh has written, he had not given thought for the future in any meaningful way. He wanted to be a doctor—indeed would have loved to be one, if he had any choice in the matter. He had visions of rendering help to the needy and to those who could not afford medical attention. As he put it in a lengthy essay on his College Days, "to relieve humanity of its sufferings and ailments was the ideal which always attracted me". The legal profession—in which he did very well in later years—did not have any allure. As he loftily put it, "what can an arts or a law graduate do with his learning as compared to a medical graduate?". Ganesh conceded that the education in arts liberalised a man, brought culture and the pleasures of literature to him, but he wondered of what use they were to ailing humanity? He was also willing to accept that lawyers had their place in the scheme of things, but he was afraid that they only served the rich. If Ganesh had his way he would have gone to Bombay to join the Grant Medical College. Ganesh's father had passed away in February 1904

when he was still studying in the final year of the school. It turned out that he was the only grandson of his maternal grandfather who had four daughters. If Ganesh's mother doted on her only son, the grandfather was not less loving. Neither was willing to let go the only male child in the family. It was their firm belief that 16 was no age for a boy to go and live alone in a big city like Bombay without any supervision. Ganesh, in the circumstances had to give up his most cherished dream of being a doctor.

His thoughts then turned to Pune and the Deccan College. For one thing his sister's husband who had been his co-student and had passed his matriculation examination along with him was scheduled to join the college. For another, Deccan College had its special attractions. Associated with it were great names like Chiplunkar and Lokamanya Tilak. Who would not like to graduate from a college which had such distinguished alumni? But poor Ganesh. Fate, in the persons of his grandfather and mother, took its course. Neither wanted to let Ganesh out of sight. As Ganesh wrote "I was not *permitted* to leave Ahmedabad". The decision was not in his hands. There was then, a good excuse. His health, his elders told him, was not such as could stand up to the rigours of living away from home. Thus it came to pass that Ganesh finally joined the Gujarat College right in his own home town, an accident, he was later to say, he had no cause to repent.

For Ganesh College life was a new experience. He was all of sixteen. But there was that delicious pleasure of being addressed by Professors as a gentleman. As he was to say: "We were undoubtedly all gentlemen in the sense that we possessed the qualities and culture of a gentleman, but to be called 'gentlemen' from 'boys' in the course of a fortnight was a sudden transformation!". The experience was heady but along with it was the regret that no more could he indulge in boyish pranks without losing his new stature.

Prescribed in the First Year Arts class—then, for some logical reason dubbed 'Previous'—were Algebra, Geometry,

Sanskrit and, of all things, History of Greece. Text books were all in English and, as Ganesh was ruefully to note, the commentaries on the texts frequently outnumbered in volume the texts themselves. The 'Notes' were not prescribed, but was almost mandatory reading considering that students not only were expected to be familiar with the studies prescribed, but had to have the intelligence to comment on them. Often Ganesh felt entirely at sea in most subjects, except Sanskrit. Notes literally "drowned" him in their verbiage.

The professors, Ganesh quickly found, were competent, amiable and kind-hearted, no doubt, coming to his rescue as he was about to get under. On Prof. Daruwala taught mathematics. The celebrated Prof. P.A. Wadia took History. The Principal, Mr Hirst, understandably taught English and another celebrity, Dr. Anandashankar Dhruva was in charge of Sanskrit.

The staff undoubtedly was of high calibre but for a rookee just out of a government-run high school, closely following the lectures of an English professor proved to be a singularly difficult task. It was not that Ganesh was weak in English. At school he always stood first in the class in English, but it was one thing to hear an Indian school teacher take a class in English and quite another to hear an Englishman speak English as it was spoke! Ganesh found himself floundering. He could not take in either the lecture in English or in History and began to entertain serious doubts whether he would ever be able to make it to the final year. There were moments of despondency. They were balanced by admiration for those who had made it to the end. What he thought he was unable to follow in the classroom, Ganesh sought to make up by doing extra reading. Efforts were redoubled as the FYA examinations approached. He barely made it. He passed the examination, of course. But he got a mere third class. For Ganesh, even that was something of an achievement.

The following year brought him better luck. He had purchased all the available books with notes and had decided to study harder still with no ambition to get a class but with one

over-riding aim: to avoid failure! At that point Fate took a hand in his life. He fell ill with examinations barely three months away. Wading through the voluminous Notes was physically impossible. Ganesh therefore decided, so to speak, to go it alone, *sans* Notes. He would read the original texts and make his own Notes,—and to hell with the ideas of some learned professor. Ganesh was anxious to make the best use of the time he had at his disposal and what better way was there than to dump the Notes and stick to the text? If he failed, Ganesh argued, at least he had made a good effort. So he appeared for the second examination determined to pass but sceptical of his chances. He must have been practically the only one in his class to ignore the Notes. In his philosophy, what would be would be. But the examination results brought him a surprise! He had secured a decent Second Class, missing a First by just 27 marks. What was more, he had stood *first* among the students of Gujarat College. No student in the college could have been more pleased than he. It was a triumph of will over common sense. Common sense prescribed that he should mug the Notes. It was his stern will that insisted that he do without them.

That success was to Ganesh an eye-opener. It gave him self-confidence. It strengthened his hope that he was graduate material, fit for University studies. If others could get their B.A., so could he. What was lacking in his life was direction with a capital D. He did not know *how* to study and *what* to study. To his surprise, the Notes—annotations—that others had relied upon proved to be a drag instead of a help. Readymade dishes in the form of Notes crippled one's digestive powers and left no initiative for one's own efforts. As Ganesh put it: "I could see the mistake I had committed while studying in the First Year Arts and thanked my illness but for which I would have resorted to the same method in my Inter Arts also".

He had done the first two years of the four year course if not in style, certainly with a flourish. Having topped his class in the Inter Arts examination, he became the first Scholar of the Gujarat College for the B.A. class. Prescribed for studies were

English, Sanskrit, Political Economy, Indian and English History and one optional subject. There were in all ten papers for the examination, in addition to the practicals in the case of students who took Physics and Chemistry or some science subject as their optional subject. Wise after his experience the previous year, Ganesh rejected books with voluminous annotations and approached a prescribed Text with only such Notes as were reputed to have been written by distinguished scholars. It was a principle that he followed with studied diligence. He would read Notes only if he felt it absolutely necessary to read them, as and when he could not understand a certain passage and needed assistance. At the same time he obtained healthy guidance from some of his professors among whom he has named Dr. Dhruva, Prof. A. Soares and Prof. M.S. Commissariat. They were exciting days. When Ganesh passed his Intermediate Examination in December 1905, the country, or, at any rate the educated youth of India, was agitated over the question of the first partition of Bengal. The banner of the message of Swaraj was unfurled at the Calcutta session of the Indian National Congress held in Calcutta by no less than the Grand Old Man of India, Dadabhai Noaroji. The country was echoing with cries of Swaraj. There was a cry for national education, one supposes as distinct from *British* education and the virus of nationalism entered into Ganesh's bloodstream as well. Had there then been a national college in Ahmedabad, Ganesh surely would have joined it with pleasure. But the wave of nationalism that was sweeping the country had an unlikely effect on Ganesh. It affected his choice of a voluntary subject for study. As he later recorded, "I anxiously considered how best I could serve my land and the starting of the Bengal Chemical and Pharmaceutical Works as also the Alemiv Chemical Works put in my mind the idea of taking up Physics and Chemistry as my voluntary subject so that I might use my knowledge in furtherance of industries". Ganesh also had visions of being a Chemistry teacher himself, to train another generation of Indians in science. A very laudable ambition.

The whole of the Gujarat College laboratory was then

located in just one room, second on the south side of the central staircase on the first floor—not the sort of laboratory that would produce Nobel Prize winners. Students learnt all that was to be learnt of Physics and Chemistry in that one room. In all there were about eight students, a number not expected to intimidate any professor. The equipment was so meagre that the entire class ran through the two-year course with only half a dozen test tubes for each. Ganesh always held that "the absence of equipment did not come in the way of our being instructed properly in the theoritical part of our subject". Certainly Ganesh, as he claimed, was "so completely one with the subject" that he secured cent per cent marks in practicals and 80 per cent in Physics. He liked Physics even better than chemistry.

Final year examinations soon came round and Ganesh passed his B.A. in the second class standing second in the class. The late Rajaratna C.D. Dalal, who was to join the Baroda Government service, stood first with Sanskrit and English as his special subjects and the late Hiralal T.Parekh, Assistant Secretary of the Gujarat Vernacular Society, stood third. All three were appointed Dakshina Fellows for the year 1909. They were a happy group.

Though Ganesh was a Chemistry/Physics student, as Dakshina Fellow he was asked to teach Deductive Logic to the students of the Intermediate Arts Class. But the appointment was not all that strange. Ganesh indeed had stood first among the Gujarat College students in the paper on Deductive Logic, having obtained 59 per cent marks. That may not seem an excessively high percentage today, but in those distant days when students were expected to write lengthy replies to searching questions, a 59 per cent score was considered respectable. But the Logic class kept Ganesh engaged only once a week. Most of the time he spent in the Physics lab to help out his professor, Mr S.J. Shah put together a large number of electrical and other apparatus that was the stock in trade of the Physics laboratory. Ganesh found it a pleasure to dismantle and

reassemble the apparatus that had been acquired. Often there was no money to purchase spare parts and Ganesh remembers one occasion when he had an exhaust air pump designed under his supervision made by a local carpenter. For years it was on display at the M.R. Institute of Science, no doubt as a tribute to the ingenuity of an Ahmedabad student. So Ganesh did lab work most of the year he was working as a Dakshina Fellow teaching Deductive Logic on the side. His heart was in the laboratory.

It was then his wish to do his M.A. with Physics and he started to take lessons in advanced mathematics from Prof. Swaminarayan, then a fresh recruit to the Gujarat College staff. But destiny had other ideas. In his brief memoirs Ganesh has said that the story of how he came to do his L.L.B. rather than his M.A. in Physics "may be good food for thought to the supporters or opponents of the theory of Free Will and Pre-Destination".

Gujarat College then had, in all, about 350 students, many of whom stayed in the two attached hostels. Ganesh himself spent a few months in one of the hostels just to savour the delights of being a free bird beyond the surveillance of a doting mother and a conerned maternal grandfather. There were the joys of sports but cricket proved to be his undoing. Playing once against a left-hand bowler Parmanand Vyas, Ganesh was commissioned out with a broken nail, having been hit by a ball that made a vicious turn. Later he was to ruefully admit that that was to end his enthusiasm for cricket.

Ganesh switched over to tennis, a much safer game and soon he was getting to be quite adept at it. Certainly there were no fast bowlers around to make life painful! Such was his proficiency at tennis that when he became a member of the Gujarat Club he was invariably chosen to play for his Club in tournaments.

There were other things to get interested in during those happy college days. Ganesh was chosen Secretary of the Debating Society for one year. He participated in theatricals

and once played the role of Sam Waller to the amusement of the spectators. Life was simple. There were no distractions. There was no cinema theatre round the corner. Transport was primitive. Public restaurants were unheard of. Social activity centred round the family. The clothes people wore were no different whether in the streets or in the classrooms. There was the inevitable *dhoti* and shirt. An occasional felt cap was a distinction few cared to affect. Trousers attracted derision unless they were worn by Parsis or Muslims. It was considered somewhat daring for Hindu students to wear western dress, but at least two of them dared. Balmukund. A. Desai and M.C. Munsif.

"Gentlemen" they all were and no lady student—of whom there were a microscopic few—ever complained of undue attention from their male counterparts.

If Ganesh was aware of what was happening in the wide, wide world, he has not recorded the events. But progress, of a sort, was being achieved elsewhere. In 1908 German scientist Hans Greger and British scientist Ernest Rutherford developed the Geiger Counter, a device to detect radioactive radiation. Thomas Edison's Amberol cylinders doubled the playing time of a single recording from two to four whole minutes. The secret lay in adding more grooves per inch of the disc! Powered aviation suffered its first casualty when Orville Wright's Flyer crashed during Army trials. Henry Ford's Model T brought the automobile to the masses—but not yet to India. The Tin Lizzic which could speed up to 42 miles per hour was to last for 19 years during which time a total of 15 million Model T's were sold. G.A. Smith presented the first true colour movie.

The next year saw more inventions. U.S. inventors Sperry and Hannibal Ford invented the first gyroscope. In Europe, the first automatic telephone exchange was installed in Munich, Germany. Bleriot made the first cross-Channel flight. General Electric made the first electric toaster. Gasoline cigarette lighters appeared in the western market. 38 aircraft entered the first aviation meeting.

Yes, the world was moving.

I

The Formative Years in Legal Career

THERE IS A picture of Vasudev Keshav Mavalankar, Ganesh's father, fully turbanned, with the caste mark standing prominently on the forehead, an object of awe and respect. The face could have been chiselled out of granite, so stern in the visage and surely it must have put lawyers pleading before him in their place. Vasudev Mavalankar was a sub-judge and wherever he went—and he was frequently under transfer—he was an object of respect. People instinctively deferred to him. At the turn of the century, being appointed a sub-judge was a matter of honour. And honoured Vasudev Mavalankar was.

During those leisurely days, and especially in the taluka towns where there was no means of entertainment, the lawyers would frequently call on Vasudev either to listen to him or to exchange the town gossip, or to discuss the events of the day. The topics would cover a wide range of subjects. There would often be references to the solid judgements that Vasudev gave, very few of which were ever reversed by superior courts. Young Ganesh not infrequently would hear snatches of conversation of the grown-ups and wonder at the profession of law and the inequities of the world. Small town talk is not always very inspirational.

In any event it was not such as to make Ganesh aspire to be a

lawyer. He had other thoughts. To be a doctor, for instance. The thought of bringing relief to the suffering people was very romantic. As Ganesh put it, "a doctor, and only a doctor, so it appeared to me, enjoyed the maximum opportunities for rendering service to the poor and the needy".

That dream did not work out. Ganesh then nursed the ambition of attaching himself to an educational institution such as the Deccan Education Society, Pune. That did not fructify either. Fate and his maternal grandfather who was his de *facto* guardian had other ideas. Grandpa, especially, felt that young Ganesh should follow in his father's footsteps and go on to become a sub-judge, too. Just think of it, he told Ganesh, "think of your father and grandfather and great-grandfather who have all served the government with such distinction". In grandpa's view, Ganesh stood as good a chance as any to rise in government service. Thus it was fated that Ganesh went to study law, not because he willed it but because the choice had been made for him by his "elders".

For a time Ganesh entertained the rash hope that if he was permitted to stay on in Bombay where, in any event, he had to go for his law studies as Ahmedabad did not provide the necessary facilities,—he would do his M.A in Physics on the side and qualify to be a professor. The very thought of killing two birds with one stone, as it were, enthralled him. But again Fate stepped in. In 1910 he fell ill and could barely keep terms for the first year's course in law. In the final year he barely managed to get through the course, but diligent and hard-working that he was, he passed the examination, this time with distinction. By then the thought of further studies deserted him. He was now, what he was: a full-fledged B.A., L.L.B. Without a Masters degree, teaching was out of question. Ganesh for some time toyed with the idea of joining the Servants of India Society started by Gopala Krishna Gokhale. Gokhale was then the shining star in the political horizon. A moderate—in sharp contrast to Bal Gangadhar Tilak—Gokhale elicited admiration from the rising band of students graduating from Bombay

University. No wonder Ganesh was enamoured of him. But once again the elders had the last word. They knew the great names of those days: Pherozeshah Mehta, D.E. Wacha, Sir Bhalchandar Krishna, not to speak of Gokhale himself. It was all very well to be a politician, but the time, they told Ganesh, was not yet. Why not stick to law, make one's presence felt, gather an able band of workers and then jump into public work? Ganesh recognised the force of such disinterested advice and, in the end, enrolled himself as a practising lawyer toward the end of February 1913.

Commenting on this Ganesh, in his book *My Life At the Bar,* wrote: "It was thus contingently by what seems as chance that I came to be a lawyer and started practice in that line at the dawn of my career. I can hardly designate the result as the outcome of will or 'pre-determination' *on my part.* On the contrary, the start was precisely opposed to my inclinations. Nevertheless another way of looking at the question is to admit that although I did not come to practice law out of 'free will', the *de facto* conclusion followed from 'pre-determination', as that term is understood by philosophers in distinction to 'free will'. The shaping of my life has made me a believer in 'destiny' in this sense that the utmost we can do is to put in our best effort in the direction of what we aspire for, and that is all".

That, surely, would not have been the only reason to make Ganesh believe in Destiny. He could have cited other examples as well. There was, thus, the question of where he should settle to practice law. Should he stay put in Ahmedabad, then a rather sleepy old place, or should he migrate to Bombay? Ganesh, understandably, preferred Bombay. For one thing, he could be in the legal proximity of great legal luminaries like Pherozeshah Mehta and Sir Gokuldas Kehandas Parekh. For another, he could be in physical proximity of a branch of the Servants of India Society that had been opened in Bombay. Besides, a dear friend of his father's, G.R. Dabholkar, himself a lawyer was in favour of Bombay, too. Among the greats in the city then were men like Daji Abaji Khare and D.B.G.S. Rao. They were

getting on in years and necessarily had to be replaced by young blood.

Ganesh further felt greatly encouraged by the support he received from a good many lawyers he personally knew who promised to send him regular briefs. For all practical purposes, then, the choice of Bombay was sealed. To his sceptical mother and maternal grandfather his argument was that after all he could visit Ahmedabad regularly during the vacation. They pointed to his poor state of health. In his turn he told them that he would give Bombay a year's try. If things did not work out, he could always return home. All things considered that was a fair offer.

It was at this point in time that disaster struck. Ganesh had a sister to whom he was greatly attached. She was younger to him and the only other child of his parents. She was also just married when she had an attack of typhoid, one of the deadly diseases of that era when the only means was a regular supply of ice to keep the temperature down and, if one had faith, prayers. In the case of this unfortunate young lady, neither helped. On 20th March 1913 around midnight, she quietly passed away. "To this day" Ganesh was later to say, "the scene of her last moments remains poignantly vivid". It left Ganesh shaken and despondent. Leaving Ahmedabad at that time seemed improper. How could he leave his mother alone to face her misfortune?

But a decision had been taken to go to Bombay and though the plan had been temporarily shelved, it was not to be postponed indefinitely. Three months passed and Ganesh's mind was once again astir. But before he would leave for Bombay he thought it only right and proper that he should call on a senior well-wisher of the family and a friend of his father to receive his blessings before embarking on a career in Bombay. That well-wisher was Diwan Bahadur G.R. Khandekar, Assistant Judicial Commissioner, Ajmer-Merwara and for some time, Prime Minister of Bharatpur and Indore States. The

Diwan Bahadur was then in Ajmer and Ganesh went calling on him on 16 June.

The old gentleman treated Ganesh with affection and sound words of counsel and gave him the sought-after blessings, fortified with which Ganesh returned to Ahmedabad only to discover that during his absence, his maternal grandfather had had an accident that forced him into bed. Grandpa had gone for his regular morning walk on 18th June when, within sight of his home, he had been knocked down by a cyclist. Result? A couple of broken bones. At 75 they were not going to heel quickly.

First it was a bereaved mother. Next it was a hospitalised grandfather. One needed emotional support. Another needed to be physically looked after. These were duties that were not to be casually discarded or palmed off on some one else when Ganesh was the man of the house. Commenting on this Ganesh wrote: "The two incidents were interpreted by me as a divine indication of His will: that I should give up the desire of settling down in Bombay. To pursue my ambition of rendering service for public causes by settling down there was not to be. I reconciled myself to the situation by a mode of reasoning which ran on different lines but which helped me considerably in getting over the irritation and despondency that followed upon the defeat of my plans".

God may have come in handy for Ganesh to give up his dream of practising in the metropolis of Bombay, but he never had to regret Divine Interference in his life. In fact in later years he had every reason to be glad that he stayed on in Ahmedabad which was to mould him and his fortunes. June 1913 passed, and then July, followed by August and September. In October of that year he took the final plunge. He would stay on in Ahmedabad. He rented a separate office and employed a clerk who was to stay him from 1913 to 1946 until his sad demise. No lawyer could have had a more faithful clerk. He had signed on as a junior to another lawyer, but the latter had simul-

taneously insisted that for his own good Ganesh should maintain his own office to cultivate self- confidence. As advice, it was sound. As Ganesh himself was to admit, "a new plant placed under the shade of a big tree cannot but have a stunted growth". Ganesh had no desire to have his growth stunted.

The very first case in which he had to plead was a civil matter in which he had to obtain an *ex parte* injunction against the defendant. Ganesh's senior was also present in court and asked him to explain the matter to the Judge. It was late in the afternoon. The Court room was almost deserted. The judge, however, knew Ganesh personally. The empty Court room, the presence of his senior and the knowledge that he was no stranger to the presiding officer helped Ganesh present his case confidently. It was a good start.

The next case was on the criminal side. Bigamy was alleged and Ganesh represented the prosecutor, the offended husband. The client wished to settle his fees in a lump sum and Ganesh was faced with the practical problem of laying down the approximate charges. As the scale for a pauper pleader was laid down as Rs. ten a day, Ganesh surmised that he would be well within his rights to ask for five rupees a day which came to the same as the starting salary of a sub-judge which then was Rs 150 p.m.

Bigamy is an offence that could be tried by a court of sessions and all that was necessary therefore was to go through with magisterial inquiry, preliminary to commitment of the case to Court. Ganesh calculated that the inquiry would be over within a couple of days, but to err on the safe side, he estimated, three sittings and accepted the case for an aggregate fee of Rs 15 only.

When the case was taken up, however, the trying magistrate was not satisfied that the evidence disclosed an actual second marriage, though he was satisfied that the accused had enticed the complainant's wife. That naturally changed the complexion of the inquiry. It became a case triable by a Magistrate and nearly twenty hearings took place before the trial was com-

pleted. Ganesh had contracted for three hearings. These had expanded into twenty.

Ganesh was now faced with a dilemma. He had contracted to plead for the complainant for fifteen rupees and a more unscrupulous lawyer would have been justified in reneging on the contract and insisting that since the trial had gone on to twenty hearings, he should be paid Rs 100. But Ganesh was made of sterner stuff. He told himself that the responsibility of estimating the amount of work that he had to put in had been entirely his own and left neither to his client or the Magistrate. It was he who had bargained for the conduct of the entire case. How, then, could he ask for extra remuneration? So Ganesh stood by his original contract and accepted only fifteen rupees for all his work. He had lost financially in the process but he was soon to discover that by sticking to a principle, he had made an excellent investment. Not only his client but the clients neighbours as well went on to accept him as their adviser and loyally they stuck to him in respect of all other legal matters, ungrudgingly paying him considerably more than the scale of payment he could aspire for. Quite early, Ganesh learnt that principles also paid. It was a lesson that he never forgot. And in the years to come it was to stand him in good stead. He earned the respect of his clients and his credibility rose.

But he had to wait for some six months before an opportunity came his way to make his first break.

One day he was about to enter the Pleaders' Chambers in the Court premises when a friend of his, his senior by five years and had known him since his college days accosted him.

"Mavalankar" he said, "would you care to appear in a sessions case due to begin in about half an hour before the Assistant Judge? You will be paid a very nominal fee of Rs 5, but what is important is the chance it gives you of appearance before the Sessions Court!".

Mavalankar hesitated. It seemed an odd way to appear before the Sessions Court, not knowing what the case was all about and what he was expected to defend.

His face must have betrayed his qualms, for the friend said: "Don't worry about not having studied the case. A senior lawyer and I are appearing for Accused Numbers 2 and 3 and you have only to appear for Number 1. The charge is of conspiracy to cheat by offering a woman for marriage and obtaining consideration in return, on the false representation that she belonged to a particular caste. We shall look after the cross-examination of the witnesses and other matters. All you are required to do is to file your *vakalatnama* (authority to appear as advocate) for accused Number I and simply watch the proceedings. We want some one who will appear for Accused Number 1, so that when he is questioned by the Court, he may not make statements damaging to the defence of Nos. 2 and 3".

Mavalankar said he was agreeable to the suggestion. Here was an unsought, but god-sent opportunity to appear before the Sessions Court and with no sweat and he agreed to avail himself of it. The facts were simple and straight-forward enough, as is usual with criminal cases. Accused Nos. 2 and 3 were brothers living in a village in Kaira district. Accused No. 1 was a cousin of theirs on the maternal side living in the adjoining village. Nos 2 and 3 had planned the marriage of a girl by passing her off as a *patidar* to a middle-aged bridegroom of that community who had considerable difficulty in getting matrimonially settled as there was a shortage of eligible young women of the same community, and he was not too young, anyway.

The accused had managed to extort from the putative bridegroom a sum of about a thousand rupees in return for the favour done to him. The marriage was performed in due course but the bride spent only a few days at her husband's home and left him.

An inquiry initiated by the husband disclosed the information that the woman was not a member of the patidar community, but belonged to the potter's caste and considerably lower in the social hierarchy. Understandably, he felt hurt and offended and started criminal proceedings against accused No.2 and 3. Accused No.1 had accompanied Nos.2 and 3 to the place of the

complainant when the bargain had been transacted. That was his only mistake. He had not taken any active part nor had he received any share of the thousand rupees paid to accused Nos.2 and 3.

The trial took place before a young and smart judge who happened to be a Gujarati resident of Kaira district and subsequently quite conversant with the language, cutoms etc. of the people involved in the case. The proceedings had already begun when Mavalankar entered the court and filed his appearance on behalf of No. 1. The prosecuting advocate had ended his opening remarks and the first witness—the complainant was being examined. As Mavalankar happened to represent Accused No. 1, it was his turn to cross-examine the witness first. So, when the examination of the complainant was over, the Judge called upon him to put such questions as he chose.

Mavalankar excused himself from being the first to cross-examine the witness on the grounds that he had just been engaged and would need some time to study the case. The request was granted. Advocates for Accused Nos.2 and 3 thereupon took over. Meantime, Mavalankar quickly studied the case and chalked out his strategy. The only line that was possible and reasonable was to show that No. 1 merely accompanied his cousins but had taken no part in the negotiations and settlement of the bargain.

A man may very well be present when others are talking over some business of their own but that does not necessarily implicate him in the proceedings. So when Mavalankar in turn started cross-examining the witness, he was brief and to the point.

The trial went on for two days. This was Mavalankar's first appearance in a sessions case and when he returned home, he took the trouble to get the case in perspective and go over all the evidence in sequence. When his turn came to plead the case, he was ready.

The case had produced a local sensation and the court room was packed. At 5. p.m. the Judge called upon Mavalankar to make his presentation. He had to speak in Gujarati as the assessors did not know English. Mavalankar's Gujarati was perfect—and this went in his favour. And he spoke for over 45 minutes.

He felt it necessary to speak at length because of the accumulated evidence and because he felt he had a duty to do full justice to his job. He did extremely well in the circumstances and if the senior Advocates appearing for Accused Nos 2 and 3 were better advised, they would have wound up their presentation in ten to fifteen minutes. But how could they, both senior Advocates, be brief, when a junior advocate of no—or just one day's—standing had spoken for over three quarters of an hour! So they decided to plod on. The Judge heard them patiently for a while but as he noticed a tendency on the part of the senior advocates to be long-winded, he started to lose patience frequently interrupting them with such remarks as: "All this has been already said by Mr Mavalankar." or "Have you anything new to add?". On one occasion the judge said peevishly: "You are wasting public time!".

By late evening everyone was visibly tired but at least the hearings ended. When the judge asked for the opinion of the assessors, they declared No 1 (Not Guilty' and Nos 2 and 3 "Guilty". The Judge disagreed. He pronounced all three guilty, sentenced Nos 2 and 3 to a year's rigourous imprisonment each and No. 1 to six months.

That was that. Mavalankar was pleased with the recommendation of the assessors who had declared his man not guilty and felt that perhaps if his senior colleagues had not so visibly annoyed the judge, that recommendation may well have stood. In any event he got his fees and forgot all about the case.

Two years passed. Then one day a villager from Kaira walked into his office, with some papers in his arms and looking at Mavalankar's stately figure remarked: "Ah, I have got you at last!"

Mavalankar could not make anything about this performance. The villager continued, like a man who had got what he was looking for: "You are the advocate, aren't you, who argued that case about cheating two years ago? You did very well indeed. Had not those two lawyers upset the judge by their long-windedness, I'm sure Accused No 1 would have been acquitted"!

Now Mavalankar remembered the scene, and the crowd in the court. The villager, now standing in front of him, had been in the court and had been impressed by Mavalankar's presentation of the case. In turn this villager was now in need of a lawyer and had been looking for Mavalankar neither of whose name or address he knew. He had gone round looking for young Mavalankar, from lawyer after lawyer's office—and now had found him. That explained his remark: "I have got you at last"!

The villager wanted to file an appeal in a civil suit which concerned the partition of his family property between himself and his cousin. He wanted to know whether it was worth his while to appeal.On studying the case Mavalankar advised in favour of an appeal. Mavalankar was thereupon hired to present the villager's case.

The appeal was admitted and the opposing party engaged one of the seniormost lawyers in the profession who enjoyed a wide reputation and a large practice. If it unnerved Mavalankar, the villager indicated that he had the fullest trust in his lawyer. He wanted no big gun to argue his case.

The appeal went up for hearing before the seniormost judge in Ahmedabad, an Englishman. Mavalankar won the appeal to his unalloyed delight. What was more, the decision was confirmed in the High Court in due course. Mavalankar was in the clouds. It happened to be an important decision on a complicated question involving the Hindu Law of partition and at one stroke, so to speak, Mavalankar had made his reputation. That case brought him many others from Kaira district.

4

But pleading was not always a bed of roses, roses all the way, as Ganesh was soon to find out,—painfully. And the experience left him considerably shaken and embittered. He was new to his profession and hardly appreciated the depths to which lawyers could go in matters of untruth, perjury and fabrication. He was to learn this quickly enough. There had been a fight between opposing factions of workmen in a particular mill in which, as frequently happens in such circumstances, lathis were rather freely used. Quite a few people, evidently in excess of five on either side, had participated in the fight. The police intervened. A case of unlawful assembly and rioting was preferred against the leading members of each faction. There were, besides, cross complaints made by the parties and in turn each party was in the double role of accused in one instance and complainant in the other. The prosecution was undertaken by the Police Prosecutor representing the Government.

As far as Ganesh was concerned he was clear in his mind that there had been a factious fight between two factions. As a result of the melee quite a few had been injured on both sides. That was not in dispute either.

There was no way in which to find out who was more to blame. How then was he to make a meaningful defence case in favour of his clients? Both factions in the fight had been equally aggressive and had exceeded the legitimate bounds of self-defence. Ganesh, still new to the ways of the wicked world thought, in the circumstances, that the best course was for the parties concerned to admit their guilt, explain to the court the circumstances that led to the feelings running high and consequently coming to blows and rely on the court's discretion to award a minimum setence.

When Ganesh explained his mode of thinking to his clients, they were most unwilling to accept his advice. Not that they did not appreciate his sentiments, but who would willingly plead guilty when the other party might not be equally willing to do so? Indeed, were the other party to be bloody-minded, it well

could turn the tables on Ganesh's client and celebrate the event!

.The more Ganesh thought on the matter the more he was convinced that his line of thinking was correct. He decided eventually upon taking his stand on the plea of self-defence and cross-examine the prosecution witnesses accordingly.

But things were to take a different turn.

On the day of hearing he was informed by the 'Learned Pleader' on the opposite side, a senior, that a compromise had been reached by the parties concerned by mutual understanding. Ganesh's first reaction was that a way had been found out that was honourable and acceptable to all concerned. But when he pressed the opposition lawyer how this solution had been agreed to, the latter said that each party had agreed to let the other off.

That perplexed Ganesh. How could that have happened? The offence was cognisable and the government was in the picture as prosecution. How then could both parties control the conduct of the case arbitrarily, without reference to the court? Ganesh studied the Criminal Procedure Code for guidance, but there was nothing in it that could help him understand the new turn of events.

So he asked the opposition pleader for an explanation. All that he got by way of reply was a scornful look and a sly counter-question: "And may I know why it is not possible to compromise the case?"

"But how?" replied Mavalankar, "and under what section?"

"Young man" countered the senior Pleader, "don't you see that no evidence has been adduced so far?"

"So?"

"Well then, if there is no evidence, who is to say that there has been a question of unlawful assembly and more than five persons on either side had assembled?"

"But there have been more than five persons on either side in the fight" retorted Mavalankar,

"But that is what you say!" said the senior lawyer, "but where is the evidence before the court?"

The senior lawyer went on the say that it had been agreed by both parties that they should say that there were only two or three persons on the scene which could then not be described as "an unlawful assembly". There the matter would end.

Mavalankar, the rookee was still at sea. "How can the witnesses possibly say what is not a fact?" he wanted to know.

Pat came the reply: "Fact or no fact, they shall say so!".

Ganesh was stunned by this remark. He "floundered, inarticulate, quite dumb, not knowing what to do" as he was to admit years later. But more was still to come. The senior lawyer bluntly told Ganesh that he should instruct his witnesses accordingly. Ganesh had no such plan. He plainly refused to do what he was told to do. More, he would have been happy to withdraw from the case and let his clients choose whomsoever they pleased to conduct their case. At that point Ganesh found that there was no exit. The case was coming up for hearing in a few minutes.

Baulked, Ganesh did the next best thing. He told the senior lawyer that he could conduct the *de facto* examination of both parties himself! What happened then has been explained by Ganesh in his book *My Life At The Bar:*

We entered the court premises together as the case was called. I was weighed down by a guilty conscience which accused me of weakly conniving at a highly immoral act. In fact, I felt as guilty as though I had passively encouraged perjury, notwithstanding the fact that I had refused to take an active part in the proceedings. My implied abstinence failed to satisfy my conscience and, though I was actually present in the court in flesh and blood, no peace of mind was mine, not even to enable me to appreciate adequately what was taking place. I was

agonizingly agitated over my own conduct and reproaching myself for not having withdrawn altogether, instead of sitting on as a silent spectator...

The case was called. The first witness was placed in the witness box. But he, like others involved in the case, had not mastered the art of lying and when the prosecutor started his barrage of questions, the witness began to fumble, frequently glancing helplessly at the senior lawyer who now began to make signs to indicate how the questions should be answered.

That understandably riled the Prosecutor who complained to the presiding officer, saying: "Sir, the pleader here is making signs to the witness"—something that he was forbidden to do. The senior lawyer pretended to be outraged and drawing himself to his full height told the court that the Prosecutor's allegations were outrageous, that he, a senior lawyer with many years in the court, was an upright man who wouldn't ever be guilty of interfering with a witness under any circumstances. So vehement and natural did he sound that the Judge had to respond. Unfortunately for him, he had been busy taking down notes and had not been aware of what was going on and had to excuse himself. But the Prosecutor was not about to give up. He had noticed Ganesh and now suggested that the Judge might check with him. Now Ganesh again was in a tight corner. What should he do? Betray a fellow-lawyer? Tell the whole truth? Once again Ganesh compromised and told the Court that like the judge, he too was taking down notes. It was a half-truth. Notes he was certainly taking down; at the same time he was witness to what was happening, especially the unprofessional behaviour of his senior. But he could'nt muster the courage to tell the truth. When it was all over, he was a very depressed man. Commenting on this episode in his life Ganesh wrote:

Nevertheless I felt terribly depressed at my own wretchedness of spirit and vowed at that very moment that if criminal practice was to entail the humiliation I had just experienced, I would have nothing more to do with it. Better, far better, to remain a briefless lawyer for years to come than to appear

before a criminal court. The resolution gave me considerable peace of mind and from the next day I ceased to attend the case...

Many lawyers would possibly call Ganesh a rather naive young man, yet to learn the ways of a very, very wicked world. But he stuck to his resolve. In years to come Ganesh did appear in criminal cases covered by Factory Laws, the Smoke Nuisance Act etc. but those were either breaches of the law involving, in essence, no moral turpitude, or matters that had to be dealt with by higher courts. Besides, by the time he came to appear in such cases he had acquired a certain status which helped him in maintaining himself above the low ebb that had so disgusted him in the days when he was a struggling junior.

Step by step by step, Ganesh's education as a lawyer had begun, even if he was not then aware of it. If this first case in a criminal court had shocked him, there were worse things in store for him. The second shock was on its way when he had to represent the plaintiff in a case involving a promissory note for a sum of five hundred rupees. The plaintiff's case was sound. Everything about the pronote was in order. It was signed in the right form, had been duly stamped and there was no doubt that the plaintiff had a good case.

Ganesh was opposed by a very senior lawyer who had submitted an excessively lengthy written statement admitting execution of the pronote but alleging that it was obtained by fraud and coercion. Alternatively, he also pleaded part-payment. It was somewhat bewildering.

Ganesh was sure that he had the case well on hand. But his opponent's tactics plainly astounded him. The latter demanded, at a great length and in all seriousness that the plaintiff must first go into the witness box and prove not only that the pronote was executed for consideration but that it was passed without any fraud or coercion as was alleged by the defendants.

According to law, the burden of proof—of coercion, fraud as well as part payment—lay upon the defendant in that he

admitted the promote. But here was a senior lawyer demanding quite the opposite, quite strenuously and with the apparent consent of the judge! Ganesh had not been out of college for long and though he thought he knew the Law of Evidence as well as anyone else, the senior lawyer's forceful demand and the Court's refusal to put it down, perplexed him. Could he possibly be wrong? Ganesh rose to protest, but the judge waved him back to his seat in Marathi. Finally, after his opponent had finished, Ganesh thought that now at least he would make his protest but once again he was waved back to his seat. Lord, Ganesh told himself, what on earth is happening here? Have I forgotten my law? But just as he was beginning to feel un-nerved, the judge spoke. He merely over-ruled the senior lawyer. Ganesh found his confidence surging back, but it was a close shave. What shocked Ganesh was not only to discover that pleaders could urge obviously untenable points and thus wasting public time, but that a court could permit such a thing!

Then there was another case. Again he represented the plaintiff. This time the burden of proof was on him but his witnesses were not present. No summons for the witnesses had been applied for as his client had stated that they would turn up at court at the proper time. The proper time was approaching but there were no signs of the witnesses.

For a junior lawyer this was a galling prospect. What was he to do? As he was waiting out the last minutes, anxiety written all over his face, a kindly fellow lawyer noticing it wondered what the matter was. Ganesh explained his predicament. "Is that all?" said the elderly gentleman," think nothing about it. As soon as the case is called, all that you have to do is immediately to submit to the court that your witnesses are not present, as the summonses have not been served".

"But... but" stammered Ganesh, "how can I say that when no summonses have been applied for?".

The elderly lawyer smiled.

"Baby" he said, addressing Ganesh, "you are very green; raw, if I may say so. Don't you realize that the judge and the

bench clerk have so many cases on their files to tackle? Nobody is going to bother whether summonses were or were not applied for; and your statement will not be challenged!"

Ganesh indeed was a greenhorn and was scared to tell an untruth. His elderly colleague kept pressing him to accept his advice; finally Ganesh decided to tell the truth, and to ask for a postponement risking the court's ire along with a refusal for adjournment which would have meant that his client would have lost. Luckily for Ganesh, the court was about to close and his case was not called, giving him a reprieve. In years to come Ganesh was to learn that if the truth is told, a court would always be reasonable and helpful, but at that point in time, he really was frightened of losing his case—and the elderly lawyer's advice did not help. He was always to wonder over what he called the psychology and ethics of the average lawyer willing to pull a fast one over the court if he could get away with it.

He had been called 'baby' by his indulgent and senior lawyer friends when he joined the famous Gujarat Club which was then the haunt of all lawyers and he happened to be practically the youngest among them. The sobriquet stuck and he was invariably called 'Baby' almost still 1919 by which time he was a lordly 31. A picture of him taken about that time shows, him, dressed in a 3-piece suit, with a Maharashtrian pagdi set on his head and an authoritative stick in his hand.

That was some Baby!

But Baby was quickly to do well as the months passed. He was learning the tricks of the trade, even if he stood by his principles and would not deviate from them. From the beginning Ganesh had a great sense of moral values which he strenuously applied whenever possible.

One such occasion came soon enough.

His client this time was a pleader's clerk, a young man who was living with his father in what was legally called a 'joint family', in, for all purposes, happy circumstances.

The clerks's mother had defective eyesight and had become practically blind. He himself had married, a plain-looking girl with not much intelligence to boast of, but that had not come in the way of marital happiness. At least not until Fate, in the person of the client's father, took a hand.

The father had chanced upon a rich and young brahmin widow, whose old husband had died a few months earlier. The girl may have been young and pretty, but the father had his eye on her supposed riches. What better way to set his hand on those riches than to encourage the son to cultivate her?

The son apparently, did not need much encouragement. He set about his task with commendable zeal and soon the two young people were going about like a house on fire and had become lovers. But then a hitch developed. It was discovered that the 'widow' had been married before, had been enticed away from her first husband and married off by her seducer to the old brahmin for consideration which the latter was induced to pay on the fraudulent representation that she was an unmarried girl of his caste! So, while she may have been technically a 'widow' she was, in fact, still a married woman whose first husband was alive and around and had started proceedings against his wife and her seducers.

This put a new complexion to the story. The reaction of the father was to prevail upon his son to abscond with the young 'widow' which he promptly did and the couple came to live in Ahmedabad to live unobtrusively and happily. This went on for about six years. Though not married, the young man and his woman developed an endearing relationship and even had a child. The man went on to become a professional magician and as such travelled widely all over India and Burma, with his 'wife'' acting as his assistant.

Unable to locate his wife, the first husband dropped the criminal proceedings against her which he had instituted. When the father of Ganesh's client heard of it, he sent word to his son that the way was clear and he could return. This he did,

bringing along with him his second 'wife' now of more than six years' standing. However, he lived apart from his father.

The father, meanwhile, had come to realise that the supposed 'widow' would not bring in the expected dowry inasmuch as all the properties of the deceased brahmin gentlemen had been claimed and acquired by his legal heirs, the supposed widow not being his legally and validly married wife. The father was bitter. He had played a dirty—and losing—game. What was even more galling, society was pointing a finger at him as one who had encouraged his son to elope with another woman when he was actually married.

The upshot of the matter was that the father felt himself unable any more to stand up to the special obloquy involved and the son unable to give up the woman who had been so faithful to him and whom he was bound to look upon and protect as though, in fact, she had been his legally wedded wife. The sentiment entertained by the son toward the woman he loved was noble whereas the outlook that had governed his father was purely mercenary. There now was no common meeting ground between father and son. The son left the father's household to set up his own home, leaving his legitimate wife behind. For reasons that can only be guessed the wife asked her brother to join her. So then, the father's house-hold now consisted of the old man, his blind wife, his daughter-in-law and her brother. Unhappily, an intimacy developed between the father and his daughter-in-law and the father threatened to disinherit his son, arguing that all he had was self-acquired. At this point the young man approached Ganesh to sue the father. In turn the father persuaded his daughter-in-law to file a suit against her erring husband claiming maintenance on the ground of legal cruelty and desertion. Ganesh advised his client to file a counter-suit against his wife for restitution of conjugal rights. The two suits were heard together and the father stepped into the witness box to support his daughter-in-law's allegations about her husband's cruelty etc.

The son was now furious and wanted Ganesh to ask searching question of the father about his intimacy with his daughter-in-law. At that point Ganesh put his foot down. That, he told his client, was just not done. But what if the case was lost for want of pushing the father to the wall? Let us lose the case, counselled Ganesh, rather than causing terrible embarrassment to the older man.

Ganesh had thought that he had a good case, but the Judge decided against him. Ganesh advised appeals which were duly filed. He was sure of success at the higher court. But before the appeals could come for hearing, Fate intervened again. The father came down with a serious illness and doctors said that his chances of pulling through were nil. Now came desperate calls from the father to the son to see him on his death-bed. Should the son go? What if the father asked for withdrawal of appeals? The son came to Ganesh to seek his advice. Ganesh was quite clear in his mind. He advised his client that no matter how unpleasant the past, a son should honour a father's death-bed request and call on him. That was duly arranged. And there was reconciliation between father and son. The father, as was expected, asked for the withdrawal of the appeals and the son agreed, even if it meant losing his right for parental property!

Writing about this episode, Ganesh expressed no regrets. As he put it:

The reader, I am sure, is able to visualise better by his own imagination than by any description I can give the meeting of a father and son in an affectionate and loving embrace on the parental death-bed after years of hostile opposition. Was this not a happy consummation, indeed, of my function as a pleader? Even if we had won the appeals, how could it have been a better end than reconciliation between father and son? Opinions may differ but I feel happy even to this day, and not a little proud as well, over the results achieved.

Was Ganesh being extra squeamish in such matters? Was he taking his moral principles to the extreme? Shouldn't a lawyer

defend his client at all costs? Isn't that his duty? Ganesh found his principles again tested in yet another case. This time it concerned a mother-in-law and daughter-in-law quarrel.

The nephew of a friend of Ganesh was married reportedly to a shrew who made life hard for everyone in the household. Her language was foul and her disrespect for her husband's mother was abundant and obvious and showed. Exasperated by all this, the husband decided he would have to whip his wife and teach her a lesson. A whip was duly flourished on an appropriate occasion.

Understandably the wife complained to her parents and her brother advised her to get legal redress. Now the real battle began.

The uncle of the husband, asked Ganesh to take up the case in his behalf. The wife and her parents asked a fairly well-known criminal lawyer to plead her case. Ganesh did not quite relish his brief. He proffered the advice to the husband to plead guilty, state the extenuating circumstances and leave the matter entirely to the discretion and wisdom of the court. At best, said Ganesh, he would undertake the defence not of the husband but of his mother and uncle who had been named co-accused by the wife. Since his advice was not heeded, Ganesh suggested that the party engage another lawyer. And so they did.

The case was argued before an English member of the Indian civil Service who was acting as a magistrate. The lawyer who had taken over from Ganesh had done his home-work meticulously. His argument was that husband and wife had quarrelled, they had come to grips and in the course of physical assault the wife had handled her husband's private organs so violently that he was howling with pain and had to take recourse to the whip in pure self-defence. The lawyer said that as a consequence of the hurt inflicted by the wife on her husband, the latter had to see a doctor and to prove it a medical certificate was produced in court signed by an assistant surgeon in government service! The doctor further deposed that the

husband had come to him in a condition which bore out the allegations and was actually treated by him. As the accused was anxious that he should not be humiliated by the ignominous incident being known to the public at large, no case papers nor any formal bill for medical treatment had been prepared! All that the doctor, it later turned out, had been paid for his perjury was a paltry twenty rupees! But the husband won the case.

And Ganesh received one more lesson in the wickedness of the world.

Over and over again, Ganesh found himself wondering at the inequities in his profession. On one occasion a case could have been won had not the plaintiffs, in order to strengthen their case went on to exaggerate it to a point where the judge just failed to accept it. It was a rape case where a police officer was charged with raping a village woman. A case had been made out that two women had been raped, one by an officer and another by a constable independently when, in actual fact, only one woman had been raped by the officer with the help of the constable. According to medical jurisprudence it is impossible for a man to commit rape unless he gets help from another or there is an element of consent on the part of the woman. Had the plaintiffs stuck to the truth and said that only one woman had been raped, the rapist being the police officer who had assistance from a constable, the case would have been won. In order to implicate the constable as well a further charge had been made that he, too, had simultaneously raped another woman.

The Judge: Mr Mavalankar, do you mean to suggest seriously that one woman was raped by one man absolutely unaided?

Mr Mavalankar: Yes, your honour.

The Judge: I simply cannot believe it.

The case was dismissed. As he was coming out of the court room he was met by the lawyer who had prepared the case in a lower court. His remark shocked Ganesh. "Mr Mavalankar"

said the lawyer, "a little admixture of untruth spoilt the whole game". But there were other heartening instances where when Ganesh, knowing fully well that he had the right on his side but the law against him, appealed to the court to arbitrate, he could help his clients.

Three individuals had given loans to the Managing Agent of a company that had gone into liquidation. There was no way, technically, for the money to be recovered. One of the persons was a cashier in the same firm who was daily handling thousands of rupees but had never cheated. Now he was in danger of losing Rs 2;000 that he had given as a laon to his master.

Another man had loaned Rs 18,000 and he too was in danger of losing it.

Ganesh appealed to the Judge who happened to be an Englshman, to arbitrate the cases. The Judge: Mr Mavalankar, take the case of your client advancing Rs 18,000. Was it not highly stupid on his part to have advanced money like that?

Mavalankar: yes sir, I grant you that. But the question is: what is the fair penalty for stupidity of this sort? Is he to lose the whole amount? And can you tell me the stupidities of the other two?

The Judge (in a pensive mode): But do you mean to tell me seriously that I have the power as an arbitrator to consider equity irrespective of the provisions laid down by the law?

Mavalankar: Sir, in your capacity as an aribitrator you are the maker of the law on which your prospective decision is to be based. A judge is bound, hand and foot, but not so an aribtrator. The latter is free to consider the wider claims of justice and equality. We do not expect him to take the narrow view and be so hide-bound by mere rules of law.

The Judge: Can you show me any authority in support of this proposition?

Ganesh did and the judge was satisfied. As an arbitrator, the judge enabled Ganesh's clients to recover their loans, one of them fully and the other partly but more than they would have received under the strict application of law. Ganesh's comment: "The secret of our success lay in frankly admitting the facts and in advancing arguments based on a human appeal to the Judge".

In all his dealings with clients, Mavalankar believed in the saving grace of truth. He was often laughed at as the 'Gandhian lawyer'—an unworldly man who did not know—or would not condone—a lie. As Ganesh put it once: "Quite a few lawyers and advocates seem to labour under the wrong impression that truth, plain and simple, shorn of incidental embroidery, to explain away the normal inconsistencies, does not serve the purpose of the client, My experience, however, has been very different in a number of cases".

There was the case of a man who had been prosecuted in 1914 for bigamy, or at least for enticing away the wife of another man. He was duly convicted and sentenced to serve a period in jail. On his release, he tried to get back to the woman for whose sake he had gone to jail. But she was no more interested in him. It infuriated him. He decided to chastise her and one evening waylaid her on a narrow path and savagely attacked her with a sharp knife. Death was almost instantaneous. The man was prosecuted for murder. There was practically no defence of any kind possible, no ground to pray for mercy even. The only hope lay in the weakness of the prosecution evidence in support of their case. It was clear that if the case resulted in conviction for murder, a death sentence would be the inevitable punishment.

Ganesh was asked to defend the man. The prosecuting government Pleader was a senior gentleman who knew Ganesh well and invariably called him 'Baby'. On the day the trial was to begin the Pleader spoke to Ganesh. "Baby" he said, "your client hasn't the ghost of a chance to escape conviction and a sentence of death. Why on earth don't you advice him to admit

the guilt and take the consequences?" Ganesh said: "Why should I take such a leap in the dark? Let's see what the prosecution can prove. I wouldn't be surprised if they fail in proving their case!" "Nonsense" flashed back the Pleader, "you youngsters have no balance of judgment! Please yourself. Let your client be hanged. Only then will you realise your error!" Ganesh kept quiet.

The prosecutor opened his case, but before he called up witnesses for the prosecution, just as Ganesh had anticipated, he addressed the Judge.

"Sir" he said, "I have already asked my young friend on the other side to advice his client to plead guitly and finish off in a couple of minutes. But it appears that for reasons known only to him, he does not appreciate my advice".

The Judge looked up at Ganesh as if to inquire what he thought of the suggestion. But Ganesh at that point was not willing to oblige.

He said: "Sir, how can I have the heart to advice the accused to plead guilty as my senior friend suggests? I cannot possibly be party to pushing him off to the gallows on his own admission. Even if eventually he has to pay the death penalty let it be the result of his guilt being proved by the prosecution".

At this, the Judge remarked: "But supposing he is not awarded the death penalty? What have you to say to that?"

Ganesh sensed that the wind was blowing in his favour. Carefully choosing his words, he replied: "But surely, Sir, the alternative sentence would be a life—sentence—a good twenty years of imprisonment! The very prospect is dark beyond measure. I might, however, consider the proposition if the sentence could be reduced to a reasonable minimum".

The Judge smiled and looked at the prosecutor.

He was a good man and held Ganesh in affection, though, in court, he could be gruff and tough. Now he said: Let my young

friend rest happy. I, for one, have no objection if the court pronounces half the sentence—which was ten years imprisonment. "Well Mr. Mavalankar" said the Judge, "what have you to say now?"

Delighted at the turn of events, Ganesh rushed to the prisoner in the dock and explained to him what had happened and suggested he plead guilty. The prisoner promptly agreed. And the Judge stood by his word.

Ganesh had been saved the agony of planning a suitable defence, knowing fully well that he would have to defend the indefensible. But he had not only had the satisfaction that his client had been saved from the gallows, but that even his term of imprisonment had been reduced by half. Ganesh was convinced that in all such cases pleading guilty was far more honourable and time-saving and served the ends of justice.

Then there was the case of a client who was a heavy speculator. He had made profits of about Rs. 1,20,000 during a year in respect of which he was assessed to pay income tax. Unfortunately for him he had lost practically half of it within two or three months of the end of "the previous year" in which the income-tax assessment was based under the income-tax law. The law, of course, could not take into consideration losses incurred subsequently.

During the course of supplementary assessment the client made a return showing his income at the absurdly small figure of Rs 1,500. He had also stated that he kept no accounts. As a result of applications made by his rivals, the income-tax authorities investigated the case and found that the return made by him was false and that, actually, he had made huge profits. They therefore revised his first assessment; and as there were no accounts, it was based on estimates and guesses which were naturally exaggerated. He was called upon to pay a sum of Rs 25,000 by way of income tax. Apart from that, there was also a charge against him of having made a false return.

When he was asked to take up the case, Ganesh gave it a great deal of thought. He decided that he would take up the case only if his client told "the truth, the whole truth and nothing but the truth". Furthermore he warned the client that as a result of telling the truth, he might not only lose the case, be further prosecuted and have his appeal for reduction of income tax assessment wholly rejected, all on his own admission of facts. Ganesh also warned his client that telling the truth might also get him a sentence of imprisonment.

To all of this the client agreed. It speaks for the remarkable power of Ganesh to convice his clients the value of speaking the truth.

On the day when the case was to be heard by the Assistant Commisioner of Income Tax, a Sikh gentlemen before whom Ganesh had appeared in a number of income tax cases and who had formed a good opinion of him, the latter good-humouredly started the proceedings by saying: "Mr. Mavalankar, you have a very bad case indeed this time". Mavalankar had a ready reply.

"Sir" he said, "the case is undoubtedly bad, but even the worst case has a solution in the form of a special remedy".

Intrigued, the Assistant Commissioner asked: "Do I take it that you have a solution for this case as well?"

"Yes, Sir" Ganesh sa "for this case as well. I have a common remedy to prescribe for a variety of similarly bad cases, irrespective of their facts differing very considerably".

"I am most interested in knowing what your magical remedy is" countered the Assistant Commissioner.

"Sir" replied Ganesh, "I have undertaken the brief on the plain condition that my client will tell you the whole truth and nothing but the truth. And he intends to come out with it, without previously bargaining for reduction of the tax or compromise. He will make a full and frank disclosure and then leave the matter entirely to your judgement. If you are satisfied that he really has made an honest disclosure, can you possibly

have the heart to deal with him harshly? Can you take up any view of his conduct that is not merciful? This is my remedy".

"Wonderful" said the Assistant Commissioner, "Let's hear what the man has to say". With the official's permission, Ganesh took his client aside and impressed on him the seriousness and the risk involved in making a full and frank disclosure. The penalty consisted of imprisonment as well as rejection of appeal. The possible gains were a reduction in the amount of the tax charged and compromise in respect of the possible prosecution.

To stress the moral aspect of telling the truth Ganesh went further and said that he would not be sorry if his client were to be sentenced to a period of imprisonment and his appeal to be forthwith dismissed since that would only be atonment of a sin committed—a *prayaschitta,* as it were.

The client listened patiently and nodded his head to signify his assent to the ruthless advice given to him. What made him do so, Ganesh never to the last found out. Perhaps it was his persuasiveness that did it.

The client there upon did as he was advised and made a full disclosure of his assets and liabilities, hiding nothing. Ganesh now addressed himself to the presiding official.

"Sir" he said, "are you satisfied that my client has told the truth, the whole truth and nothing but the truth?".

The official nodded.

"In that case, Sir" said Ganesh, "I leave the matter entirely to your hands". There was silence. Ganesh could almost hear the clock tick. The Assistant Commissioner proceeded to write out his order there and then while Ganesh and his terrified client waited for the blow to strike.

Then the official spoke. "Mr. Mavalankar" he said, "I reduce the amount to be paid by your client to Rs. 14,000 from the original Rs. 25,000 as assessed by the Income Tax Officer. What have you to say?"

Ganesh could hardly contain his satisfaction, in fact, his delight, but he thought he would still try to get some more concessions. A lawyer is never fully satisfied until he gets the maximum benefit for his client.

So he said: "Sir, looking at the actual profits made, the reasonable figure would be about Rs 10,000. You are charging about Rs 4,000 in excess. I have no right however, to urge anything at this stage, as the matter is now left entirely to you". It was a smart way of getting extra sympathy. But the offical was to be not so easily pushed to give more concessions. He said sternly: "But Mr. Mavalankar, you seemed to have missed a point. I am stating in my order that I am charging Rs 4000 by way of penalty for composition of the prosecution. Your client will not now be prosecuted and the payment of Rs 4,000 is penalty in respect of the false return". Ganesh gave his thanks to the official with as much courtesy as he could muster. When he and his client came out of the court room the latter was beaming with delight. He had escaped imprisonment by the skin of his teeth and besides, he had the tax reduced by half. He could not have been more grateful to Ganesh who stuck to his point that truthfulness always pays.

That was to be his *leit motif* throughout his legal career. It did not always win him friends, but it gave him great joy to know that justice and fair play prevailed and that the law was not made a mockery of.

For lawyers, a lucrative field is provided by the remuneration offered to liquidation receivers and commissioners for their work such as local inspections, recording of evidence, taking of accounts etc. This tempts many of them to stoop to an undignified flattery of judges and court officials to gain favour with them. For it is in the hands of these officials to select and appoint receivers et al as they think fit.

The matter does not end there. Appointments lead to corruption in filing the taxation of lawyer's bills. These bills, as is well known, are often inflated. On one occasion there was a

certain limited company in the manufacture of glassware which was ordered to be wound up. Each share of the Capital was of the face value of Rs 50, of which Rs 30 per share had been paid up to the company at the time of its liquidation. The assets of the company being insufficient to meet the liabilities, the liquidator had to make a call on the shareholders to pay off creditors of the company.

The liquidator was a fellow member of the Bar who was well-acquainted with the law and the rules according to which remuneration could be charged. The scales of fees and remuneration in company matters follow the lines of charges as laid down in England. The effect was that a lawyer who would normally have charged Rs 10 then (in the 1920's) would demand any fee up to Rs 200 for the same type of work.

In matters of liquidation or insolvency, as Ganesh saw it, the objective which many lawyers have in view is not so much to pay off the creditors who have suffered as to appropriate for themselves and fellow members of their brotherhood as large a slice as possible of the assets. In the case of the glass manufacturing company the lawyer appointed as liquidator succumbed to the temptation of making some quick money. He proceeded to split up the call he had to make on the shareholders into two parts, instead of calling up the whole sum of Rs. 20 at once as he should have done. His objective was clearly to sieze the opportunity of making bills twice over for the same work.

This legal device for swelling his bill was absolutely unjustifiable in equity and not warranted by the quantum of work put through. But the lawyer was street smart. Having first made a call of Rs 10 per share he deemed it most advantageous for himself to procure orders from the court for the payment of the call made by him and then to institute execution proceedings for the realization thereof. He also manouvered that the court should appoint him as the lawyer for appearing in courts. This meant that he had a set of fees for making a call on the

shareholders, another for an order pertaining to the call, a third for proceedings to get himself appointed as lawyer, a fourth for instructing his lawyer (i.e. himself) and a fifth for the actual execution proceedings in the courts! The whole procedure was as ingenious as it was scandalous.

The day came when the execution matters came up before the District Judge for orders. The orders were all identical except for the differences of amounts payable by different shareholders and for their names. They were in print and all that was to be done was to get the judge's signature to these orders.

Ganesh happened to be in court on some other business and was watching the judge as he signed the execution order. In some cases the total execution was for Rs 200 or thereabouts for a sum of Rs 40 or Rs 60 due in respect of a call. It was downright monstruous.

In some cases the judge was signing execution orders for Rs 90 for realizing a call of Rs 10. Scandalised, Ganesh rose to his feet to address the court.

Believing that Ganesh was trying to get his attention to argue his own case, the judge politely said: "Well, Mr Mavalankar, I shall be taking up your matter after this is over. It won't take long".

Mavalankar took courage in his own hands and said: "Sir, I haven't got up to inquire about the matter in which I am appearing. I have been observing what is going on in respect of these execution orders and I am extremely unhappy about the orders which Your Honour is passing. There could be no surer method of bringing the administration of justice into disrepute than such scandalous demands for costs and judicial orders in respect of them".

It was a spontaneous outburst but having made it, Ganesh felt that perhaps he had overstepped his limits and might possibly have offended the judge. But the judge apparently was

also thinking on those lines for he remarked: "Mr. Mavalankar, I am myself most uneasy in my chair signing these orders. But is there any way out?" Reassured that he had not offended the judge and that, in fact, the judge was looking for help, Ganesh replied: "Sir, I may be permitted to appear *amicus* curaee in this case, if you so wish. And if I am given the relevant papers, I shall study the matter and submit to your honour the proper course to follow".

To the judge that came as a relief, He ordered the lawyer-liquidator to supply Ganesh with a copy of the relevant papers.

Ganesh told the court: "Sir, I don't think the law could be so absurd as to permit such exhorbitant payment by way of costs. There must be some provision for reasonableness in such matters. I shall consult my friends in Bombay and look up the relevant authorities and then make my submission to Your Honour".

The judge was clearly relieved. He told the lawyer-liquidator that he was cancelling such orders as he had already signed and would wait till Ganesh made his submission before signing fresh orders.

Ganesh was as good as his word. When he made his presentation to the court the next day, costs were substantially reduced to the satisfaction of the shareholders but to the considerable chargin of the lawyer-liquidator.

Ganesh knew from the very beginning that careful study of papers was often the key to success. If success came Ganesh's way it was surely because he was a fastidious reader of the papers submitted to him. He went through them with the application of a neuro-surgeon. Nothing escaped his eyes.

The Ahmedabad Municipality had worked out a town planning scheme for what was known as the Jamalpur area. It provided for a number of amenities for the whole city, such as a cattle bazaar, a pail depot for the disposal of night soil, a grit

chamber with a settling tank for the drainage pumping station, a slaughter house, cow-sheds, residential quarters for milkmen and labourers etc. The scheme also provided amenities specially to the Jamalpur area such as water supply, streets, street lighting, playground etc.

Under the Town Planning Act the municipality was entitled to recover from each plot-holder within the area of the scheme whole or part of the cost that the municipality actually incurs or expects to incur for the proffered amenities to that area, provided that the scheme was likely to result in the improvement and consequent higher evaluation of the plots.

The principle was that if any owner benefitted by an increase in the value of the property as a result of the town planning scheme which had been put into effect at public cost, it was but fair and proper that the owner should pay toward the total cost of the scheme for the benefit that accrued to him.

The Town Planning Act, however, laid down two limits within which charges could be levied on a plot-owner. First was that whatever was levied should not be more than 50 per cent of the estimated increase in the value of the plot. The second was that the total levy ought not to exceed the total cost of the scheme. When the Jamalpur Scheme was inaugurated the question arose as to how much each property owner should be charged. All the plot-owners—there were some sixty of them—could not, obviously, be uniformly charged. There were many factors to be taken into consideration. How close to the road was a plot? How much benefit would accrue to the owner because of the amenities like street-lighting provided in the scheme? The matter was left to an expert to decide. A Tribunal had been appointed consisting of a District Judge, a representative of the Municipality and the Expert to which an assessee could appeal if he felt that the levy was too high.

When the expert made his recommendations, Ganesh went through them very thoroughly. He had also taken the trouble to read the Town Planning Act. Soon he found out that the expert

had cleverly computed the total increase in values of plots as a result of betterment at *exactly* double the total cost of the scheme! Under the law, 50 per cent of the increase in valuation was the maximum that could be charged as a contribution. The expert apparently thought that the only way one could think of recovering the whole cost of planning from the owners of plots was to calculate the increases at exactly double the cost.

Some twenty five lawyers in all were appearing for the sixty plot owners, none of whom had gone through the Town Planning Act. They went in the belief that after all an expert had been appointed to assess levies and how could an expert be challenged? But the expert reckoned without Ganesh.

When Ganesh appeared before the Tribunal some six lawyers had already lost their case. It was now Ganesh's turn to argue for his client. Ganesh first pointed out that the Scheme contained many items which were meant solely or substantially for the benefit of the entire municipal area of Ahmedabad City. It was plainly unjust to foist their cost on the owners of plots in Jamalpur alone. The cost should be divided as between Jamalpur landlords and the rest of Ahmedabad in fairness to justice and equity. This automatically brought down the levies on the plot-owners to quite an extent. Then Ganesh pointed out how the expert had wrongly made his evaluation and how that, too, was wrong in principle. The point he made appealed to the District Judge and to the other member. The expert protested, but he was in a minority of one against two. The net result was that Ganesh won the case for his client, for a substantial reduction in the levy.

Ganesh later recounting this, wrote: "By the time my case was done, the court time was over for the day and other cases had to be put off for the next day. The same evening my office was literally flooded with the claimants in other cases before the Tribunal. Everyone wanted to enagage me!"

Ganesh possibly could not take some fifty cases, but after much pressure was brought on him, he decided to take about a

dozen. Out of the dozen he was able to get reduction of levies to eleven. His reputation as a lawyer now was enhanced. His lawyer colleagues began to see him in a new light. Ganesh himself took his success lightly. All he had done—and what every lawyer automatically should have done—was to read his papers carefully and not allow himself to be browbeaten by an expert so-called. Success in such circumstance was more or less assured.

Ganesh was never tired of stressing this to his friends.

One of Ganesh's favourite dicta was that a lawyer had always to keep in mind that he is essentially a social worker as a doctor or teacher or any other citizen is and that he had to render faithful service not only in maintaining but also fostering good relations between members of a family and generally among people who are friends, relations etc.

In his view it was not enough that his client's case is faultless at law. A lawyer always got cases where there are conflicts between law and morals and equity; It was the lawyer's duty to advise his client on larger considerations of social good, even if, at times, these may not fit in with the material interests of the client. Ganesh not only believed in this theoretically but invariably put his philosophy in practice. Once he had a case in which a man sued his younger brother for dissolution of a partnership and for accounts thereof.

The situation was like this: The brothers were both originally working in the business of their uncle who had no issue. The business was managed by the elder brother, and the younger brother has started working with him more or less as a trainee. After a few years, the elder brother started another independent business on his own and devoted himself entirely to it. He was not able to attend to the original business which was solely attended to by the younger brother.

When the elder brother managed the business, the younger brother used to be given no salary but a certain amount for his

maintenance, and other incidental expenses. Obviously they were working as partners without any partnership deed or any definite share of profits and/or allocation of duties. When the elder brother started the new business and devoted himself entirely to it, the younger brother naturally took it that the elder brother had relinquished his claim to any share in the profits of the business for the earning of which he did not contribute anything.

The business did not require much in the form of capital investment. It consisted of sale of aerated waters, ice and allied provisions. For several years the younger brother continued the original business without the elder brother claiming any share in it and appropriated to himself the entire profits of business under the impression that the elder brother who had started a new business has left the old business entirely to him.

The elder brother also had, during all these years, earned profits from his own independent business. It was a case of relinquishing of partnership rights, neither by any document nor by word of mouth, but by conduct.

This went on for a period of about twelve years or more. Thereafter the elder brother, for some reason or other, claimed that he continued to be a partner, though a silent one, and was entitled to his share of profits earned during the *entire* period. There was neither any deed of partnership at the inception nor any document of dissolution later. The position rested entirely on how the brothers had each understood the position.

Obviously there was no dishonesty on the part of the elder brother who always had the intention of helping the younger brother as much as possible, but had no intention of relinquishing his rights in the partnership. He was not particular to enforce these rights, but he always thought to himself that his rights continued to exist, though he was not exercising them, and that he continued to be a partner. The younger brother thought equally honestly that the conduct of the elder brother meant that he had relinquished his rights in the old business and

that he, the younger one, was the sole proprietor of the old business.

When the elder brother claimed a share of profits of the old business on the basis of his continuing as a partner, the younger brother felt surprised and expressed his surprise to the elder brother. The elder brother persisted in maintaining that he continued as a partner and expressed surprised in turn at the attitude of the younger brother. The matter rested there as the younger brother had no funds from which he could pay any amount to the elder. Later, when there was a boom in the prices of landed property, the younger brother sold one of his properties and remitted the amount realized from it, Rs 50,000, to the elder brother stating that that was all that he could pay and the elder brother must be satisfied by taking it as his share of the partnership profits during the seven years as claimed by him. He also requested the elder brother to consider himself as having ceased to be a partner and allow the younger brother to continue as the sole proprietor of the whole business as he took himself to be.

The elder brother considered this as an insult in as much as the younger brother asserted the fact of his being the sole proprietor and denied the elder brother's right as partner. He, therefore, returned the cheque to the younger brother stating that he did not care to have even a 'pie' as a matter of charity, but he insisted on payment only if the younger brother recognised him as a partner.

The matter again rested there for a few years more! Then, once again the elder brother raised the matter of partnership, but this time he filed a suit on the basis of his being a partner, claiming dissolution of partnership and accounts! Obviously he was set up by some interested people, taking advantage of his simplicity and his temper.The question was whether the partnership continued to be in existence or whether the elder brother had relinquished his rights by his conduct and whether the suit was time-barred. Obviously it was difficult to come to

any conclusion on any of the issues. The accounts of the business and the conduct of the parties only showed the understanding of each one, and there was no common understanding about the relationship.

Ganesh was hired by the younger brother. In his defence arguments Ganesh took pleas of (i) dissolution of partnership or, in the alternative, relinquishment, by conduct, of the elder brother and (ii) limitation. There was not much of correspondence and the matter, unbelievably, was spread over nearly twenty years! It was difficult to say what views the court might take; and if at all the matter had to be fought out in courts, one had to go up to the highest courts-the Privy Council, at that time-involving time and money.

Interestingly enough, the brothers really loved each other. But the elder brother had got it in his mind that his partnership in the old business must be acknowledged. He was not interested primarily in money. At the same time both were advanced in age at the time the suit was filed-sixty and over. They had an aged mother of about 90 still living and each of them felt sad that he had to go to court to resolve a family matter.

The case finally came up for hearing. A solicitor had come from Bombay to Ahmedabad with counsel to conduct the case of the plaintiff, the elder brother. When Ganesh met him in the Bar room, the latter said: "Mr. Mavalankar, I think this case is one which must be settled amicably. It is difficult to say what view the court will take and the parties will land themselves into heavy costs if they have to fight up to the Privy Council. Are there any chances of your client coming to terms? Ganesh said that his client was indeed very anxious to settle the matter, that he did not like to stand in court against his elder brother and the only difficulty was that the elder brother had pitched his demand too high.

Ganesh said: "Your client's attitude seems to be that either he must have his full share, if he is entitled to any share, or he must

have nothing. What shall we do?" When the case was called, the presiding judge who knew Ganesh very well, said: "Well, Mr. Mavalankar, are there no chances of a compromise?"

Ganesh said that he could not say either way, but if the court gave him time and took up the case from day to day till such time as a final answer could be given, he will try for achieving a compromise. Ganesh added that he was pleased to know that the plaintiff's lawyers, too, were anxious to be helpful.

What followed was almost out of a Hindi film! Negotiations were conducted at the residence of Ganesh which was not far from the court. The elder brother was so wroth at the conduct of his younger brother that he refused to sit with him at the round table and accused the latter of ingratitude and love of money. The lawyers then devised a strategy. Each brother was asked to sit in a separate room and the lawyers went from one room to the other trying to hammer out a compromise. This went on for six days. At the end of each day the lawyers would jointly submit to the court that they had not yet failed!

After walking for what Ganesh estimated several miles between one room and another a solution was in sight. The elder brother yielded to his lawyer's advice and accepted a compromise which consisted of the younger brother making certain payments by instalments, according to his ability.

Ganesh and the plaintiff's lawyers then drafted the terms of the compromise. They took care to see that the amouts agreed to be paid were secured by the mortgage of the younger brother's property and his assets in the trade. The lawyers found that it was not possible to have these terms embodied in a decree in the suit for the dissolution of partnership because of certain legal difficulties. So they adopted a different procedure. Both the brothers appointed the Bombay Solicitor and Ganesh as arbitrators and they gave the award in terms of the settlement that they had accepted. It was agreed that the award should be filed in court, a decree obtained and the suit dismissed, each party bearing his own expenes. A week's hard

work had borne fruit. The two brothers were united and there was an atmosphere of relaxation and happiness.

When the result was declared in the court, the judge, too, shared in the happiness and when he was thanked for his patience and understanding, he said: "Well, this is a very happy and rare occasion when there has been such a consummation of efforts for a family *rapprochment*. I must invite the parties and their lawyers to my chamber to celebrate this happy result by a homely tea-party, wherein both brothers will take tea at the same table and shake hands and then leave".

The judge's proposal was readily accepted by all concerned and the brothers had tea together after years of high feeling bordering on bitterness.

Such was the younger brother's respect for Ganesh that for years afterwards, whenever there was an occasion to celebrate at Ganesh's home, the aerated waters and ice came from the former's shop-one presumes, free of cost! The elder brother, no less generous, supplied ice free of charge to the Municipal Hospital during Ganesh's term as president. He similarly supplied ice to Ganesh at his home during summer and would refuse to accept payment. Ganesh was to comment: "It is not the free supply of ice that mattered to me, but I felt sometimes overpowered by the feeling of affection and respect that the old man showed to me. I do not think that the clients and the lawyers could have done so well had there been no compromise. I am sure if the case had been fought it would have left a trail of estranged feelings and bitterness. What was to prevail was affection and goodwill".

During his relatively short period as a lawyer, Ganesh argued a lot of Income Tax cases. As a matter of fact he was practically the only advocate in Ahmedabad to appear before the Income Tax officer and Assistant Commissioners. The practice was lucrative, but it called for a great deal of study and application. At that, Ganesh was very adept. There was the case of a highly respectable, wealthy industrialist of Ahmedabad who died

having made a will whereby he appointed his only son as heir and his wife as the executrix of his will and guardian of his minor son. He also directed his wife to be taken as a partner in his two Managing Agency firms which conducted two mills in Ahmedabad. The Managing Agency business was an old ancestral asset, not an ordinary partnership where two or more people come together by contract for the conduct of any particular business.

During the period of the mother's guardianship, she was treated as a partner in the firms in accordance with the will of the deceased. Consequently she was entitled to half the share of the remuneration the firms received from both companies.

In 1924, the legal position as regards liability of a firm as an assessee for Income Tax and Super Tax was this. In regard to Super Tax the position was that an unregistered firm with an annual income of Rs 50,000 or over was treated as an independent unit for assessment; in that case, a partner's share in the income from the unregistered firm was not added to his individual income for tax purposes.

But, on the other hand, an option was given to the partners of an unregistered firm to get the partnership registered with the income tax authorities specifying the individual shares of the partners and other details as required by the law. If, however, the firm was registered, the consequences thereof was that the individual partner's share of income would be added to his other income and he would be taxed on the entire income. The unregistered firm, then, would not be liable to any tax.

In this particular case, the mother had practically no source of income other than what accrued from her share in the Managing Agency firms. Her minor son, on the other hand, had a very substantial income from sources other than his share of income from the Managing Agency firms. In the net result, should the firms be registered, the minor would be a loser in the matter of tax in two different ways: He would lose the exemption of Rs 50,000 in the assessment of each of the two

agency firms and his other income being large, he would be assessed at much higher rates of tax than he would be, if his income from his shares in the unregistered firms were assessed separately.

For some reason that was never made clear, the legal advisers of the guardian had advised that the two Managing Agency firms be registered with the Income Tax authorities. The registration did secure to the guardian-mother some relief in respect of the amount of tax payable by her on her share of the income. But, on the other hand, it imposed a very substantial burden on the minor. Roughly speaking, whereas the mother got a benefit of two annas (twelve paise), the son was put to a loss of ten rupees (a thousand paise)!

About this time the friends of the minor applied to the court for the removal of the guardian-mother on the ground of mismanagement etc. There was a compromise and as a result of it, the mother resigned from her guardianship and two near relations of the minor were appointed co-guardians. These co-guardians now appointed Ganesh as their legal adviser.

On examining the financial position of the minor Ganesh found out that for no fault of the boy he had been burdened with a heavy Super Tax. The reason was that in the very year that the mother had resigned her guardianship, she had the Managing Agency firms registered with the Income Tax authorities. This placed a tax burden of Rs 75,000 on the minor, a large sum even now but in 1924 a huge fortune. Ganesh felt it was unfair. But what was he to do?

Ganesh went back to his books, trying to locate any clause that would provide a loop hole in the provisions made by the Income Tax Act of 1922. He read the Act from cover to cover, scores of times. He even looked into the pages of the *Gazette of India* in which the original bill was published. But he could find no way to help his client. Then we wondered: could he get the registration of the two Managing Agencies on the ground of the guardian-mother's negligence in safeguarding the interests of

her minor son? Could he plead any valid ground of fraud? Could he plausibly say that the registration was not beneficial to the minor and therefore not valid? He went over this case over and over in his mind for several days when suddenly the solution occurred to him! A registered firm was defined by sub-section (14) of Section 2 of the then Income Tax Act as follows:

Registered firm is a firm *constiuted* under an Instrument of Partnership specifying the individual shares of the partners of which the prescribed particulars have been registered with the Income Tax Officer in the prescribed manner.

Here was the loophole that Ganesh was looking for: the word *constituted*! Unless a firm was *constituted* under an Instrument of Partnership, there could be no legal registration thereof. Now the Agency firms of the minor were *ancestral* family firms and they were not *constituted* under an Instrument of Partnership. But to win his point Ganesh wanted to be quite sure that there was no documents signed at the time the mother was introduced as a partner. He checked with the Income Tax Officer whom he knew personally. To his delight he found out that there was no document of partnership introducing the guardian-mother as a partner!. The endorsement of the registration of the Managing Agency firms was made by the Income Tax Department on the probate of the will of the deceased and *not* on any partnership document! Ganesh quickly got in touch with the new co-guardians and asked them to show him the original of the probate of the will of the deceased. To his delight he found thereon the endorsements of the Income Tax Department, from year to year, as regards the registration of the two firms. Now Ganesh felt this case was complete and unassailable! The fundamental basis of his case was that there were no documents *constituting* the firms. The probate of a will is no partnership document. Ganesh further argued that the provision in the will to take the guardian-mother as a partner cannot make the will or probate a document of partnership. The will was nothing more than a

direction to the executors and a document containing such a direction could not, by any manner of means, be taken as a partnership document. The Income Tax Department, argued Ganesh, was therefore wrong in the first place in registering the firms, treating the probate as a document of partnership. There thus being no basis for registration, the registration purported to be effected itself was illegal! Ergo, said Ganesh, he was entitled to a refund of the tax paid (about Rs 75,000) for the previous two years.

When he placed his representation in writing in the hands of the Income Tax Officer handling the case, the latter's reaction was one of shock. "Mr. Mavalankar" he said, "your pleading appears to be correct. But were we such fools as to accept this as a document of partnership?".

Ganesh could afford to be magnanimous."Oh no" he replied, "I would not use such an epithet at all with reference to either you or other officers of the Income Tax Department. All I am concerned with is to show that the registration being ab initio void, I am entiled to the refund".

As the matter involved a large sum of money, the Income Tax Officer referred it to the legal authorities of the government who upheld Ganesh's argument. The upshot of it all was that the refund that he had prayed for was granted. He had asked for refund of taxes for two years, but he got a refund of only one year, the claim for the other year being treated as time-barred. For all that Ganesh could get his client a refund of about Rs 40,000 which, in 1924-25, was no mean sum! And there was in Ahmedabad then, no happier lawyer!

When Ganesh started legal practice in 1913 in Ahmedabad at the young age of 25 he promised himself that he shall not devote more than twenty years of his life to the legal profession. And he kept to his resolve.

His years as a lawyer extended from 1913 to 1937 when he became the first Speaker of the Bombay Legislative Assembly. But during those 24 years he spent four in prison, or in urgent

social work. He suspended his legal practice for the first time in 1921-22 in response to Gandhiji's call for a boycott of law courts during the non-cooperation struggle. Ganesh then was all of 33 and on his way to success. It could not have been an easy decision to take, but along with scores of lawyers all over the country, he took it and had no cause for regret. The second occasion came following the unprecedented rains in Gujarat in 1927 that caused heavy damage throughout the countryside. Ganesh threw himself in the campaign to raise flood relief wholeheartedly. Then came a period of about sixteen months when he was interned in Ratnagiri from March 1933 to June 1934 under the Emergency Powers Act.

When he was elected to the presidentship of the Ahmedabad Municipality in 1930 he almost gave up his practice to devote himself fully to municipal work. It is not often realised that next only to Sardar Vallabhbhai Patel, Ahmedabad owes a great deal to Ganesh for making it what it is today. Ganesh's passion was municipal work and to the end he gave it preference over any other activity, including the Speakership of the Lok Sabha where he excelled. He often used to say that in order to be successful at the national level, one must first have his grounding at the level of Local Self-Government and that he himself would any day prefer municipal work to his work at the national level. Indeed whenever there was any conference or any discussion relating to local government bodies, Ganesh was always ready to cooperate. Thus, he presided at the Local Self-Government Bodies Conference held in Gujarat at Nadiad and also inaugurated the Local-Government Minister's Conference at Simla in June 1954.

Ganesh saw Law as a tool to improve or better his natural talent for social work. As a lawyer he was an eminent success, thanks as much to his acumen as to his diligence and dedication. From the very beginning he thought a lawyer should practise as a social worker and uphold the stability and advance the progress of the communtiy at large. He erred occasionally and fell from grace and from the high standards that he had set for

himself. The fault lay, as he was to admit, in his reluctance to face the displeasure of seniors and in the lack of a proper outlook as to what his obligation to society was. On the positive side he could say with complete honesty that he never harboured any intention of doing any wrong or any injury to any person, that it was not his intention to take undue advantage of the difficulties of others and that he never entertained an urge to make easy money. As a matter of fact, though, in his own words, he "earned lakhs" during his legal career, "to earn money and become a rich man" was never his goal. If he had one ambition, it had throughout been "to be able to serve society through every pursuit open" to him. At one time his scale of fees was the highest among lawyers in Ahmedabad. Some of the richest industrialists were his clients. But he could say truthfully that the fees he charged were according to the quantum of work done-never dependent on the number of days taken up by each case. Frequently, he put in honorary work in cases which affected the general welfare of society as a whole, or in individual cases where a poor man was wrongfully affected and was unable to assert his rights. Any fair estimation of Ganesh as a lawyer would put it as superlatively successful.

He lived by certain rules which he set down his book *My Life At The Bar*. They merit reproduction:

1. Do not ask for a fee beyond what is settled simply because the work that you were required to do is found to be in excess of your first estimate when you settled the fees.

2. Do not ask for any self-gratificatory *inam* from a client in case you happen to win his case. The amount of the fees payable to you is not affected whether you win or lose the case. It is your duty to do your best for your client and if you have done your best and won the case, it does not entitle you to a present or inam. You have done your duty and duty has to be performed for its own sake.

3. Do not accept a case which is morally wrong or unsupport-

able. But you may accept a legally weak case provided you are convinced of the moral and equitable aspects of your client's standpoint.

4. Never undertake any engagement from your client's opponent in any matter whatsoever, so long as the case against his opponent is not finally disposed of. The reason is simple. Quite a few opponents try to influence the lawyer in their favour by the subtle bribe of engaging him on their behalf. Once you accept such engagements, the opponent gains a hold over you and your own client begins to suspect your integrity. Of course, it is quite different when you become a senior and your reputation is established.

5. Never mislead the judge by (a) wrongly quoting the record (b) citing wrong or over-ruled cases (c) misstatement of facts (d) securing adjournments for the convenience of clients on the false plea of your personal convenience or ill health.

6. Always present yourself in court at the date appointed for your case, even if you have been told that the case is not likely to be called up for some time. This serves a double purpose. You come to know how cases are conducted and your presence becomes a sort of investment from your own point of view, as it makes an impression on the judge that you are always present unless occupied elsewhere. And this impression in turn enables you to attend to your other work without the particular case being taken up in your absence by the judge.

7. In case the briefs of lawyers who cannot remain present due to unavoidable reasons or have unfortunately died come to you, always make a point of not charging any fees in respect of such briefs. It is my belief that you are bound to undertake work on behalf of your friends without expectation of remuneration because you belong to the lawyer's brotherhood. There are times when lawyers press their clients for fees on the plea that they are not charging the lawyer but the client. But the point to remember is that the client has to pay something extra which he should not be called upon to pay in view of the contractual obligations of your brother-lawyer.

8. And finally, please remember that character is your greatest asset, from the material as well as the spiritual point of view. Character will enable you to earn your livelihood in the right, honest and dignified manner which will also be beneficial to society in general.

II

The Gandhi Influence

AND NOW, ON the scene comes a man who was to exert a profound influence on the life of Ganesh-Mohandas Karamchand Gandhi. Bapu.

Gandhi had gone to South Africa in 1894 as a junior counsel of a commercial firm for 105 pounds a year. He stayed on in Durban to command and then voluntarily to give up a peak practice of 5,000 pounds a year. There, in South Africa, among hostile people and an even more hostile government, Gandhi was to device his weapon of non-violent non-cooperation.

From India, Gopala Krishna Gokhale had watched him almost with paternal solicitude. Gokhale the Moderate had been impressed by Gandhi's techniques and after a tour of South Africa in 1912 had described Gandhi as one "without doubt made of the stuff of which heroes and martyrs are made". "Nay, more" Gokhale had said, "he has in him the marvellous spiritual power to turn ordinary men around him into heroes and martyrs".

It was this Gandhi who returned to India in 1915 after a sojourn in South Africa of twenty one long years. A hero's welcome awaited him when he landed on 9 January 1915 at the Apollo Bunder in Bombay. Three days latter he was honoured at a magnificent reception in the palatial house of Jehangit Petit. Sir Pherozeshah Mehta, then called "the uncrowned king

of Bombay" hailed Gandhi as "a hero in the cause of Indian independence". At Gokhale's request Gandhi was to call on the then Governor of Bombay, Lord Willingdon. The wily Lord's suggestion to Gandhi was that whenever he proposed to take any steps concerning the government, he should come and see him. Understandably, Gandhi had promised that so he would. It was, after all, part of Gandhi's technique of satyagraha to explore every avenue of convincing and converting an opponent before taking the next step.

Gandhi had made a promise to Gokhale that he would not say anything for public consumption for a year after his return to India until he had been round the country and seen it for himself. It was during that sojourn, and when he was with Rabindranath Tagore in Shantiniketan, that he heard of Gokhale's death. It was a great blow to him."Launching on the stormy sea of Indian public life" he wrote later, "I was in need of a sure pilot. I had had one in Gokhale and had felt secure in his keeping". So heartbroken was Gandhi that for a year he went barefoot in memory of his departed mentor.

In 1915 Ganesh was all of 27 years old, a young lawyer making his mark at the Ahmedabad bar. He lived close to the city court. The Mavalankar haveli was a bare stone's throw from the court and he could walk the distance in a few minutes. Almost diagonally opposite to the haveli was the residence of Sardar Vallabhbhai Patel and the two were to become good friends. The Sardar, senior to Ganesh by thirteen years-he was born on 31 October 1875-was forty in 1915. But both Ganesh and the Sardar began practice almost simultaneously-in 1913-the former on the civil side and the latter on the criminal side. Both became members of the famous Gujarat Club which was next door to the courts. It was a cozy arrangement.

Gandhi had yet to make his mark on the Indian political scene. During 1915 Gandhi had eschewed politics completely. In his speeches and writings during the period he confined himself mainly to the reform of the individual and society. Apart from the promise he had made to Gokhale, Gandhi was

still finding his feet and getting to know his country. It was hard work. Communication was slow, newspapers were few and such of those that existed were British-oriented. Travel was by train, the automobile was still a rare thing and everything took time.

Gandhi had returned from South Africa with the intent to establish an ashram somewhere in India. Gokhale had promised to finance the ashram but he died in February 1915. Gandhi realised that now he had to fend for himself. His intention was well known and he received invitations from many parts of the country, from his own home town Rajkot and from such far away places as Hardwar and Calcutta. But, after a great deal of thinking, he chose Ahmedabad.

It was, in many ways, a natural choice. Ahmedabad was very much in his own part of the country, Gujarat. He would be among friends whose language he spoke. Besides, some of the local industrialists had promised financial help to start and run an ashram. Ahmedabad, a great textile centre was also best suited for experiments in hand spinning and weaving which appeared to Gandhi as then the only practicable way for the under-worked and under-fed people to supplement their income.

Gandhi would occasionally drop by at the Gujarat Club, but he was yet to make a major splash on the political scene and if he was noticed by Sardar Vallabhbhai Patel busy playing cards with his cronies, it must have been accidental. Gandhi, properly turbanned in his Kutchi way would sit unobtrusively a little distance away talking to whoever would listen to him. Ganesh would be one of them.

It was only after Gandhi humbled the indigo planters in Champaran that the Sardar was impressed. The news,legend goes, reached the Sardar one evening as he was playing cards as usual with friends. When he heard the electrifying news, the Sardar is reported to have put his cards down and to exclaim: "Now that is a son of a lion!" After that the Sardar's induction

into the Gandhi camp was a foregone conclusion. Ganesh, meanwhile, had joined the Gujarat Sabha in December 1916, even as Gandhi was settling down at Sabarmati. The Gujarat Sabha was an association which was to be converted into the Gujarat Provincial Congress Committee in 1921. But in 1916 it was still a social service organisation.

The disobedience of the magisterial order by Gandhi at Motihari in Bihar preventing him from enquiring into the grievances of the Bihar indigo labourers sent a thrill through the hearts of many prominent members of the Gujarat Sabha and all of them were unanimous that Gandhi should be approached to accept the Sabha's presidentship. The task of persuading him to do so fell to Ganesh who was the Secretary of the Sabha.

Gandhi apparently did not need much persuasion and gladly acceded to Ganesh's request made on behalf of his fellow members. All of them had felt that Gandhi would give them the necessary leadership. But none of them really had any idea as to the mind, thinking, outlook or views of the newcomer to them. The members of the Sabha had old-fashioned ideas about how to advance politically. They believed in petitions and representations to government, and had little or no use for agitation.

But if they had reservations on these matters, they were impressed by Gandhi's bravery. Even more, they were impressed by the fact that he was a Bar-at-Law, and a proper England-returned. Gandhi spoke and wrote in chaste English, which was then considered a major asset.

With Gandhi as president, the Sabha's work began to expand. As secretary, Ganesh felt that he needed letter-heads which he promptly got printed, in the traditional way, with the names of the Sabha's office-bearers printed on the top left side. And Gandhi's name topped the list. Inscribed were the words: Mohandas K. Gandhi, Esqr, Bar-at-Law.

Armed with a handful of these letter-heads Ganesh went to Gandhi to deliver them to him.

"What are these?" Gandhi inquired.

"Letter-heads" replied Ganesh, "for you to use as and when necessary".

Gandhi gave them a quick glance.

He asked: "Mavalankar, why have you described me as Bar-at-Law"?

"Aren't you one?" countered Ganesh.

"Yes, of course" Gandhi replied, and then added:"I am really a cultivator and a weaver!"

At that time, Ganesh later was to say, he did not quite understand the implication of Gandhi's remark. It was only later as Gandhi unrolled his programme of khadi and village industries that Ganesh realised its significance. At that time he felt that it was rather odd for Gandhi to describe himself, humbly, as a farmer and weaver.

As secretary, Ganesh frequently had to go to Sabarmati ashram to see Gandhi as the Sabha's president. The place then had not yet been spruced up, there was hardly any accommodation even for the inmates and tents had to be pitched for some of them. On one occasion Ganesh found it necessary to stay overnight at the ashram, something he had not bargained for. The ashramites, however, thoughtfully provided him with a bed roll on which he spent a rather sleepless night. The next morning, when he went out to return the bedroll he found Gandhi carrying his own bedroll on his shoulder, oblivious of his guest. It was a lesson for Ganesh.

Meanwhile Ganesh found himself temporarily in conflict with Gandhi on a personal matter. It came about like this.

When Ganesh was hardly seventeen his elders persuaded him to get married. The girl chosen was Manorama Ganesh Chandorkar who, in 1905 the year they were married, was just eight. It was, as was usual in those times, an arranged marriage. Ganesh and Manorama were related in a distant way and from

the day she was born it had been decided by their elders that Manorama and Ganesh were made for each other. From Manorama's childhood it had been dinned into her ears that she was to be married to Ganesh. Ganesh knew Manorama from her childhood. There were family jokes about them. Ganesh was to say: "We were married even before we were married!". Since the two families were related, Manorama would often come to stay at the Mavalankar house in Bhadra. Indeed even before she was married, she was part of the Mavalankar family and was treated with a great deal of love and affection. She would often be sent to serve Ganesh as if she were married to him and her affection would embarrass Ganesh who was still in his teens. After the two were actually married Manorama went back to her parents' home in Bombay as was then the custom. Neither Manorama who was then still a child, nor Ganesh had any idea what marriage entailed and it was some years later that she came to live with her husband.

Ganesh was still studying in 1905-the year he got married-and when he joined the Ahmedabad bar in 1913, eight years later, he was 25 and his youthful bride a lovely teenager of 16. Short and plump, she was full of life.

The young couple had their first child in May 1919. It was a girl. Though there was some disappointment that the first-born was not a son it was quickly forgotten in the knowledge that a child had been born in the Mavalankar family after a very long time. It was christened Kamala. The joy of the parents knew no bounds. Ganesh now seemed to have everything. A doting mother. A sweet and loving wife. A prosperous law practice. Friends in high circles. Respect of his colleagues. And now a child. The sun was shining brighter for Ganesh than for anyone else. But then the Fates had other plans. Barely four months passed after Kamala was born when Manorama started having a low fever. No matter what medicines the physicians prescribed, the fever would not go. At first the physicians thought that this might be a case of the dreaded tuberculosis. The best physician in Ahmedabad was sought after, one Col Tuke, an Englishman

who was the Civil Surgeon. Tests were conducted. Finally Col Tuke pronounced his verdict; Manorama was suffering from pernicious anaemia.

To a shocked Ganesh, Col Tuke said: "Mr. Mavalankar, I am afraid the prognosis is very bad".

"How bad, doctor?" Ganesh queried him.

Col Tuke took a deep breath. He knew he was for all practical purposes pronouncing a death sentence.

"The survival rate in such cases" he said slowly, in measured tones, "is one in two thousand"!

"But there is still a chance, then?".

"One in two thousand" Col Tuke repeated.

Ganesh literally crumpled in his seat.

Col Tuke said: "Take her to Miraj. They have good doctors there at the Wanless Hospital. They will take care of your wife. She needs a change of climate. And she will need transfusion of blood at regular intervals".

So Ganesh did as he was told. He took Manoramma, the 4-month old child and his mother to Miraj in the south and rented a house not far from the hospital. Manorama was quickly admitted as an in-patient. Ganesh's mother Gopika took care of the child. Ganesh was in tremendous mental turmoil. On the one hand he was loth to leave his wife and child in Miraj. On the other hand he had to earn his livelihood and there were cases to argue in Ahmedabad. He had taken his family to Miraj in September 1919. At first he stayed there for a month to see that Manorama was settled in hospital and would receive the best of care. He loved his wife dearly.

Then duty beckoned and he would return to Ahmedabad temporarily. But his heart was in Miraj. At night he would sob quietly in the solitude of his room. Word went back to Gopika of her son's distress and Manorama heard it too, a fornight

before she died she wrote on 3 March 1920 him a short pencilled note, strictly for his eyes. "I have heard that you are very unhappy" wrote Manoramma, "but what is there to be unhappy about? Bai (Gopika) is here with me and taking good care of me...If you are unhappy that makes me unhappy. I want to tell you that I am doing all right. Yes, it is very hot in Miraj and I get tired very easily. But that is no cause for worry. Please stop being upset. Otherwise you'll upset me. Perhaps the stars are against us..." That note was written from Manorama's death-bed. The doctors had given up hope and so she was sent back to her residence in Miraj to be under Gopika's personnal care. Ganesh rushed back.

On 18 March 1920 Manorama breathed her last. Ganesh was a broken man. He had been married for 15 years but he had actually lived with his wife for not more then three or four years. They had been a happy, well-adjusted pair. Now suddenly Manorama had been snatched away from him. Ganesh returned to Ahmedabad with his mother and a year-old daughter.

A few months passed. Now pressures were mounted on him to re-marry. The pressures came both from his mother Gopika and from his aunt. Ganesh was still recovering from the shock of his wife's death. And he was in no mood to oblige his mother or his aunt.

But Gopika had her own reasons to get her son remarried as early as possible. It was not that she was insensitive to her son's grief. But she had come to notice that Ganesh had become an ardent disciple of Gandhi and was frequently visiting him. Gopika did not fancy the thought of her only son joining Gandhi's ashram and so becoming lost to her. And she wanted a grandson to carry on the Mavalankar dynasty. In her calculations, getting Ganesh re-married received top priority.

Ganesh was not necessarily the type who would embrace life-long *sanyas*. He was aware of the demands of the flesh. He was young, then barely 32, but it seemed indecent to look for another bride so soon after Manorama's death.

In one of his reminiscent moods Ganesh wrote: "(My mother) was perhaps shrewdly apprehensive that if I was not married soon, I might be lost to the family and be drawn wholesale into the Gandhian whirlpool. I cannot say that she was cent per cent wrong. I had made up my mind not to think of marriage at least for a period of one year. At the same time I did not want to wound the feelings of my mother in any way. I therefore struck a weak man's course, while I never declined to see any proposed match, I continued to disapprove every proposal".

The reasons for his action were his own personal considerations and the result of his mental make-up. It was difficult for his friends not to believe that he was out to marry within a couple of months of his wife's demise. Apparently some busybody friends of his expressed to Gandhi their grief at his conduct. They obviously felt that a friend of theirs should be so callous and forgetful of his first wife and his marital vows to look for another wife. Nobody, however, had the courage to speak to Ganesh who might, at least, have allayed their fears. He was judged ex *parte* and the matter was duly carried to Gandhi. Ganesh was then in Bombay.

The gossip that fell into Gandhi's ears let to an article by him in Navjivan that dwelt generally on marital obligations and remarriage by a man who had lost his wife. The article did not refer to Ganesh by name either expressed or impliedly, but those who knew Gandhi and Ganesh knew for whose eyes the article-and its message-was meant.

At the same time Gandhi wrote a personal letter to Ganesh stating that he considered himself duty bound, as a friend, to tender advice to Ganesh in a matter in which certain proper standards were expected. Ganesh promptly replied to Gandhi, fully explaining his situation. In turn Gandhi wrote to him. "I appreciate fully your point of view". Gandhi wrote, "You should do what your conscience directs or permits you to do. My duty ended with tendering you advice as a friend. I assure you, whatever course you take, there will be absolutely no change in

my attitude or love for you". Those words were like balm to Ganesh. He felt relieved.

News, meanwhile, had spread among Maharashtrian circles in Ahmedabad and especially in Bombay that Ganesh was contemplating re-marriage. He was a most desirable catch. He may have been old by the standards of that time, but he was rich, well-connected, a rising lawyer with a great future and proposals came thick as the leaves of a deciduous forest in autumn.

He was invited here, there, everywhere. In a way it was embarrassing to Ganesh to inspect girls. But this was expected of him. His mother and uncle, too, would constantly report to him about girls they had heard of or seen. All that he had to do was to make his choice. The family would then take over and finalise the necessary arrangements.

There was this pretty girl they had heard of in Bombay, Yamuna, daughter of Ramakrishna Gurjar. She was young, bright and lovely. A good match the elders thought. But they wanted to be sure, especially after Manorama's death, that she was healthy in all respects.

When first inquiries were made it was believed that something was wrong with her eyes. A medical check-up had not given Yamuna full clearance. So the match was rejected. Not long afterwards Yamuna's father died and she was sent to Kolhapur to live in the home of her maternal uncle. When Ganesh's elders reached that city in their quest for the right bride they were directed once again to Yamuna. Her maternal uncle was particularly anxious not to expose his niece to a second rejection. But the fates were smiling. This time she became acceptable and the marriage between her and Ganesh was solemnised in 1921. Yamuna, then, was just seventeen. Ganesh a mature 33.

Yamuna had studied up to Marathi Seventh standard and it was only years later that Ganesh hired a tutor to teach her English. For the time being she had enough on her hands,

taking care of the growing family. The eldest, Balakrishna or Balasaheb was born on 1 November 1922. The second child named Vishnu or Bapusaheb was born on 13 October 1924. A third child, also male, was born in 1926 but did not survive. The fourth, Purushottam, also known as Annasaheb, was born on 3 August 1928 and the fifth and last, Narahari or Nanasaheb was born on 9 September 1931. When Purushottam was born, Ganesh was travelling in Europe in the company of Sir Chinubhai Bart. The cable that another son was born reached Ganesh in Rome. Jokingly he suggested that the child should be named Rame-sh!

As Ganesh's practice grew, so grew his interest in local government. At a public meeting held in Godhra, in Panchmahal district in 1917 Gandhi had stressed the importance of getting trained in local self-government. How were the nationalists to run the country if they did not know how to run their towns? Gandhi's logic appealed to Ganesh and to his senior at the bar, Vallabhbhai Patel. Both decided to get elected to the Ahmedabad Municipal Corporation. That was to be his first initiation also in public service.

Ahmedabad was to be the testing ground for the training of a growing number of young leaders. It was also to prove for them a living experiment in swaraj on a miniature scale.

Municipal work was new to Ganesh but he jumped into it with all the enthusiasm of a novice. Years later he was to say that given time, he would revert to municipal work-his first love. To this he gave a substantial part of his life. He had an excellent team-mate in Vallabhbhai and the duo are to this day revered as the makers of modern Ahmedabad. Vallabhbhai was soon to be elected president of the Ahmedabad Municipality, a post he held for four years from 9 February 1924 to 13 April 1928. Not long after, Ganesh was elected president on 12 November 1930. He was again to be re-elected on 22 november 1933.

He had been chairman of the Sanitary (Health) Committee in

1925 and again in 1926 but during all the eighteen long years he was a member of the Municipality (1919-1937) he served the city in one capacity or other. Like the meticulous man that he was, he worked out a schedule that gave him time to attend to his professional work and to his public service without letting one encroach on the other. In the mornings and until 2 p.m. he would attend to his court work. He gave the next two hours to his family and for a chat with his mother to whom, until her death, he reported on the day's happenings. By 4.30 p.m. he was ready for municipal work and committee meetings. The early morning city rounds were mandatory. There was no aspect of municipal work that missed his eye. On one occasion, as he was doing his usual round accompanied by a bevy of officials, he saw a middle-aged bhangi woman, some six months gone, carrying a headload of night soil in a vicker basket. It started to rain. Soon the night soil was flowing out of the basket, soiling the woman's sari. It was a pathetic sight. Tears came to Ganesh's eyes. Back in his office he ordered the vicker baskets should be replaced with adequately covered repositories, a small step but at that point in time a major move.

During his rounds Ganesh would meet citizens, and listen to their complaints. Lack of potable water was a perennial source of complaint. So was lack of adequate toilets in the various wards, known in Ahmedabad as poles. Ganesh quickly discovered that one reason for the high rate of illnesses was the lack of public toilets. Women could use them only when the men had done with them and gone out to work. This put intolerable strain on working women. One of the first tasks that Ganesh addressed himself to was to reduce the women's distress.

There was never enough money to do all the things that Ganesh wanted to accomplish. He was perennially complaining to the British officers who then manned all top executive posts that Ahmedabad was getting a raw deal financially speaking. Health, sanitation and primary education were Ganesh's main areas of concern. He considered primary schools as the training ground for future nationalists. This did not always endear

Ganesh to the British masters and inevitably he clashed with them on many occasions. At one stage Ganesh wanted all municipal employees to wear only khadi. The British executive officers took a dim view of his fiat. Twice in those eighteen years that Ganesh served Ahmedabad, the municipality was suspended. But that hardly dampened his spirit. Again and again he would get elected from the Jamalpur-Raikhad constituency within the walled city. The British officials may not have admired his nationalism, but his constitutents did. But the Simon Commission which visited India in 1928 to make an on-the-spot investigation of the fitness of Indians to rule themselves had nothing but praise for the Vallabhbhai Patel, Mavalankar duo. Judging by what they had achieved in Ahmedabad, the Commission chairman wrote that he could confidently say that Indians indeed were fit to rule themselves.

It was Ganesh's ambition that if Ahmedabad were to become a liveable city, it had to expand beyond the Walled City. He had visions of satellite towns linked with the core city by broad avenues that fanned out on all sides. He had conceived plans for bridges, schools, playgrounds, cultural centres etc in each satellite town so that each was self-sufficient. He never could see many of his town planning ideas executed for he was first inducted as Speaker of the Bombay Legislative Assembly in 1937 after which he was to be arrested during the Quit India movement. With independence he was named first Speaker of the Central Assembly. Under the circumstances his municipal work was cut tragically short in 1937. He was then not yet fifty.

But his love for municipal work never left him. In November 1949 when he was invited to preside over the Madhya Bharat Municipal Conference held in indore, he spelt out his municipal philosophy. He said:

> Having devoted a long number of years which formed the best part of my life (1919-1937) to municipal work in the city of Ahmedabad, I have naturally an attachment to that kind of work. I am afraid the importance of municipal work and the place that it ought to have in the

> self-governance of the country are not generally appreciated to the extent they ought to. This lack of proper appraisement is probably due to some extent our temperamental indifference, but largely due to lack of appreciation of the importance and implications of municipal work. The work has no political glamour and it is of a nature which requires sustained efforts for a long time, like any other branch of constructive activity.
>
> It will be conceded by every thinking person that the future of the nation and our newly-born independence depends upon the devotion and thoroughness with which we apply ourselves to all activities of a constructive character which go to build up the strength of the people on all fronts of life. Municipal work affords a very extensive field in this direction, provided we are alive to the true implications therof.

Ganesh said that it was, in a way, depressing that only political work, so-called should have special allure because of the glamour attached to it. He conceded that the lure of polularity, prestige and power was a tempting factor. For all that, he said, the true source of strength lay in the enlightenment and character of the masses and not in the capacity of a few men to manage the affairs of the people. He then continued:

Municipal work is not merely a matter of making provision for a few physical needs of the community. The municipality is apparently an institution for providing needs and ameneties, such as good water supply, good roads, lighting, drainage and also primary education...

The municipality has in its charge the moulding and development of the bodies and minds of the citizens residing within its jurisdiction. It has to deal with questions of public health, sanitation and conveniences which cater to the bodies of the citizens and the educational branch of its activities gives it an opportunity of preparing the future citizen to shoulder the

responsibilities of the independence and self-governance of the country. If we only realise the vast influence of its activities and the potentialities thereof, we all begin to look upon the municipal work as a fundamental one in our programme of nation-building.

There was, said Ganesh, one further aspect of the municipal self-government. The municipality came in direct contact with the day-to-day life and the hour-to-hour needs of the citizens. Its constitution was democratic for the municipal council was generally composed of the elected representatives of the people. Ganesh said it is correct to describe it as local self-government and therin lay its vital importance in relation to the government of the country.

He went on:

Though the Central and Provincial governments vitally affect and influence the life of the individual citizen, they do so indirectly and remotely and not directly as the municipal government. It is therefore municipal governments which can inspire in the man-in-the-street an enthusiasm and love for self-government. He cannot be fed for all times on slogans and rosy pictures of swaraj. He must experience it in practice if he is to be moulded into a true soldier for country-wide swaraj.

Ganesh pointed out that the municipality is first and foremost a self-government and then everything else. Though it might appear on the surface to be concerned only with questions of water-supply, roads, drainage, lighting and many other major and minor things, in essence it was a self-governing institution, and as such, had all the essentials of self-government in the same measure and the same manner as that of a government of a province. Municipal government, said Ganesh, was a miniature of what people wished to have in respect of the whole country or the province.

He continued:

In this view, the provision of municipal needs and ameneties is not an end in itself, but a necessary sequence of its being swaraj. If this view is accepted, a few major consequences that will follow as corollaries may be mentioned.

What were these corollaries? Ganesh spelt them out in detail.

(i) All municipal proceedings, resolutions or records must be in the language of the people, so as to easily convey to them how the administration is being conducted and to induce them to take interest in their own affairs.

(ii) It would be a pattern of the government that we wish for the country. It is always asserted that the swaraj which we visualise is for each and everyone of the three hundred millions in the country. If so, it becomes our duty to see that those living in cities or towns as well as those in the countryside must have a common outlook, an outlook which will try to adjust the affairs of cities and towns in such a manner as to be complimentary to the rural areas and not in opposition to or at the cost of that area. Our economy has to be essentaially a decentralised one, if we admit the fact India means mostly its rural population. Not only that, but further our economics have to be based on human values. In all its affairs, therefore, the municipality will have to remember that it is catering to the needs of people whose larger interests lie in the maintenance of the economy for the whole country and of a social system which fits in with that economy.

(iii) The outlook of the administration must necessarily become the swarajist outlook. Our ideal of swaraj visualises the happiness of each individual, which means supplying the moral and material needs of each one of the three hundred millions. Our economics of khadi, our social programme consisting of removal of untouchability etc are illustrative of what we visualise as swaraj. The municipality must necessarily, therefore, adopt the same outlook; and its programme of work as also its economics must have an impress of that outlook.

(iv) The municipal govenment must have a living contact with

the people and must be conducted on a human basis. The administration should have a soul and should not become a mere machine, administering soullessly, rules and regulations.

Ganesh said that the greatest drawback and the potential source of danger in any administration was that those in charge of it got lost in the machinery of administration. Ganesh said: "When an administration is large, it is easily understandable that it must have some machinery and the larger the administration, the greater the complications and the rule-bound character with consequent delays and sometimes even denial of bare justice". He went on:

The municipalities are comparatively smaller administrations and it becomes, therefore, possible to attempt greater results with lesser records and files and less of the ordinary administrative red tape. After all, it must not be forgotten that the set-up of an administration is a means to an end, the end being the happiness, comforts and conveniences of every individual in the State".

Ganesh conceded that it was impossible to have perfection in human institutions, but, all the same, people were bound to make their best efforts to the maximum degree possible so as to attain the maximum happiness and comfort to the individual, with the minimum of inconvenience. The problem was to maintain such balance by evolving an administrative technique which should work efficiently and yet would not lose its soul and human touch.

Ganesh said:

This is indeed a very difficult problem, but I think, a solution to it must be found by experiments in smaller administration if we believe that the ideal State is that which conducts its affairs with the minimum of rules and regulations and minimum of interference in the life of the individual entrenching itself upon the willing and intelligent cooperation of the subjects. It is up to us to work for the levelling up of the common man. I believe,

the municipal administration affords a unique opportunity in this direction.

Actually that last sentence really sums up Ganesh's philosophy concerning municipal work:

"I believe the municipal administration affords a unique opportunity in this direction". His belief in that was total, not half-hearted. He strove for Ahmedabad City with a passion that had to be seen to be believed. He believed in discipline, hard work and cooperation. As he put it:

A people trained to discipline, mutual cooperation, willing subordination of the individual to the interests of the commuintiy and such other qualities developed in matters of municipal life will react in the same manner in respect of larger questions of a provincial or country-wide character. And this, to my mind will be the greatest contribution that the municipalities can make to the government of the province or the country.

But all that meant a competent personnel which had both head and heart. Ganesh knew and he frequently articulated the thought, that once independence was attained, the nation would require hundreds of competent people for the colossal task of nation-building that lay ahead. It was Ganesh's firm conviction that such men could mostly be found among the ranks of those who had experience of self-government through municipal bodies, provided, of course, that they had the necessary outlook and the spirit of service. Ganesh, understandably looked upon local bodies as training grounds for future Ministers in the provinces and the Centre. He told the conference:

I must just refer to a few essentials of successful self-government before I close. As I stated before, one evil consequence of being lost in the administration is that we fail to have an overall picture of the whole, get ourselves drowned in the departmentalism and also in the administrative machine, with the result that we are lost in the day-to-day administration.

There is hardly any collective thinking and planning for the future. It is these thinking and planning that are necessary, if we wish to keep pace with the times, with the changing society and play our role as one of the greatest nations of the world. We must further cultivate tolerance and team-spirit, which are so essential for a successful working of democracy and we must know that spirit of compromise is one of the essential requirements of democracy. We must also begin to realise that our independence and democracy can best be achieved and maintained by each of us realizing that whatever positions each of us may be holding in relation to others, the status and self-respect of every individual and human values are the sine qua non of progressive democracy. Everyone, whether he be a Minister, a Municipal Councillor or an employeee must feel that others working with or under him are his colleagues and the national or municipal work is equally the concern and responsibility of all. Unless we adjust notions of equality to this level in all matters and all aspects of life, the basis of our independence and democracy will not be stabilised. The municipal administation can and should work up to the attainment of this stabilization.

He reverted to the subject of local self-government almost a year later in his speech inaugurating the Conference of Local bodies of the State of Bombay on 29 July 1950. He bemoaned the fact that the importance of municipal work and the place that it ought to have in the self-governance of the country were not generally appreciated to the extent they ought to be. That lack of proper appraisement, he said, was probably due, to some extent the temperamental indifference of Indians, but he also felt that it was due to a lack of appreciation of the importance and implication of municipal work. Municipal work had no political glamour and it was of such a nature that required substantial efforts for a long time, like any other branch of constructive activity. The future of the nation depended upon the devotion and thoroughness with which Indians applied themselves to all activities of a constructive

nature. Municipal work, said Ganesh, afforded a very extensive field in this direction, provided people were alive to the true implications thereof.

Ganesh said:

It is, in a way, depressing that work of what is popularly known as of "political" character appeals because of its glamour of popularity, publicity and the positions of prestige and power that politics offer. The lure of popularity, publicity, prestige and power is a great tempting factor. But, if we realise that democracy in which we claim to have so much faith, presupposes the existence of an intelligent and educated electorate, it will not require much thought to come to the conclusion that the true source of strength of any democracy lies in the enligntenment and character of the masses in the country and not in the capacity of a few men to manage its affairs and play the game with reference to internal or external affairs.

Municipal work, Ganesh argued, was not merely a matter of making provisions for a few physical needs of the community. The municipality surely was an institution for providing needs and amenities such as good water supply, good roads, lighting, drainage and indirectly, primary education as well. In regard to all these, what mattered most was the spirit with which and the manner in which provisions for those needs and amenities were made. The municipality had, in its charge, the moulding and development of the bodies and minds of citizens residing within its jurisdiction. It had to deal with questions of public health, sanitation and conveniences which cater for the bodies of the citizens and the educational branch of its activities gave it an opportunity of preparing the future citizen to shoulder the responsibilities of the independence and self-governance of the country. Ganesh said that if only citizens realised the vast influence the municipality exercised through these two main branches of its activities and the potentialities thereof, they should begin to look upon the municipal work as a fundamental one in any programme of nation-building. Ganesh then said:

There is one further aspect of the municipal self-government. The municipality comes in direct contact with the day-to-day life and the hour-to-hour needs of the citizen. Its constitution is democratic as the municipal council is generally composed of the elected representatives of the people. It is truly described as *local self-government* and herein lies its vital importance in relation to the government of the country.

Ganesh said that though the Central and Provincial governments vitally affected and influenced the life of the individual citizen, they did so indirectly and remotely and not directly as the municipal government. It was, therefore, municipal government that could inspire in the man-in-the-street an enthusiasm and love for self-government. He could not be fed for all times on slogans or rosy pictures of swaraj. He had to experience it in practice if he were to be moulded into a true soldier of independence. Therefore, said Ganesh, one must remember that the municipality was first a self-government and then everything else. Though it might appear on the surface to be concerned only with earthy subjects such as drainage and sanitation, in essence it was a self-governing institution, and as such had all the essentials of self-government of a province or the government of India. A municipality was a miniature of what we wished to have in respect of the whole country.

Ganesh said that the ideal state was that which conducted its affairs with the minimum of laws and the minimum of interference in the life of the individual. It followed that administration should be decentralised as much as possible. Ganesh said that he welcomed the formation of village units called *panchayats* or *janapada sabhas*. The units had to be as small as possible consistent with local needs, situation, finances and efficiency. Ganesh said that he had begun to doubt seriously the wisdom or desirability of extending local self-government to bigger areas and centralised administrations. He was willing to concede that a centralised administration was perhaps more efficient, though not necessarily more economic.

But self-government was not to be sacrificed at the altar of efficiency. Ganesh said:

I feel that very large units, such as city corporations, practically take away all initiative of the ordinary citizens; and self-government means to him nothing more than payment of taxes, going to polls at the time of elections and putting his vote in the ballot box in favour of one or other candidate, on slogans and without much understanding, thought or study of municipal problems. Perhaps he may be justified in not trying to bother himself with what he cannot himself see, judge or decide upon; but does it not mean a sort of regimentation of society, where the individual is not developed all-round, but becomes a mechanical part of a huge machine. Such a state of things, to my mind, will ultimately lead to less human and more mechanical way and outlook of life, with the result that the society will neither exist nor grow as an organic whole. While, therfore, I should always welcome efficiency, I would not like to advance it at the cost of self-government. I would like to see that our organisation does not kill the initiative and the soul of the individual. It is difficult to achieve this. I myself cannot give a ready solution, but I think it should be up to us to tackle the problem.

One suggestion put forward by Ganesh was the setting up of small councils in the big cities (such as Bombay) and then federating them. As he saw it, it was a question of adjustment of powers and duties and he felt that the smaller councils could be given responsibility for minor matters within their jurisdiction. The foremost question regarding the running of local bodies was finance. Ganesh felt that certain sources of revenue such as a part of land revenue, the whole of N.A. assessment taxes on values of lands and buildings should be wholly reserved for local bodies. But the important thing was to economise by changing methods of work and elimination of red tape.

Ganesh then identified three major and important items to which local bodies must give "top priority" in their programmes. He set them down as follows:

1. The first necessity, not only for growing towns and cities but also for the rural areas is sanitary housing. We cannot think of improving public health unless we make provision for better housing. In this connection, I may refer to the policy of levying non-agricultural assessment on land, even when it is put to use for residential purposes. This levy has been an enigma to me and I have tried to combat it since 1931. I am glad that, in the new scheme of the city corporations, the lion's share of this revenue is allotted to corporations. That is undoubtedly doing some justice and our thanks are due to the local Self-Government Minister, but considering the matter absolutely, I feel that this levy ought not to be looked upon as a source of income. It is unduly high when imposed as a source of revenue and is a clog on building activity. The return in the form of public health is far more important than the finances that the levy is likely to secure.

2. The next point of priority will be supply of pure water. In this respect, conditions in rural areas are intolerable. The poorest classes are the hardest hit, and I have known of villages and villages, where it is not possible to get any water-even, dirty water-unless one goes miles away from his home. This condition has much adversely affected not only health but also the social life of the people.

3. The third important problem that we must attend to, especially in big cities and towns is the question of adequate supply of good and unadulterated milk. This matter has to be looked upon as of fundamental importance if we want to see that the bodies of children of today are properly built up as citizens of tomorrow.

Ganesh then referred to the question of government control on local Bodies. Supervision of local bodies, of course, was necessary, but the ticklish problems were the nature, quantum and agency through which the supervision was to be exercised. As matters stood, the powers granted to the Collector for supervising Local Bodies were "more or less in the nature of

policing". Ganesh said that what was really needed to foster local self-government was "sympathetic advice, persuasion and guidance". There was no machinery provided through which Government could wield a wholesome influence on the Local Bodies by way of timely advice and correction and owing to over-work in connection with their multifarious duties, rather than lack of interest, the Collectors had been prevented from devoting much attention to local Self-Government affairs.

Then in one of the wisest suggestions ever made on the subject of loeal self Government Ganesh added:

"I would earnestly request leaders of political parties to consider very anxiously and seriously, whether it is not, now, necessary to avoid having parties for the civic administration on political alignments. Things were different under the British Rule. The local bodies then afforded to us a good field both to serve the people and to meet the bureaucracy in its stronghold of power. The political ideology of our then controlling authorities was directly opposed to ours, and no good civic work was possible in the real spirit of Self-Government, unless we worked in the local bodies by entrenching ourselves, firmly on our political background. Things have now changed. There is nothing like two opposing camps-the Rulers and the Ruled, the Government and the people. We are all one now. The Government are for the people and from the people, and the people are the Government. We have a heavy and responsible task of nation-building and the local bodies offer opportunities to all for basic constructive work such as water supply etc irrespective of ideologies. I wish parties in local Bodies are now formed for having efficient and effective group work on civic programmes alone. Such a course will not only strengthen the cause of nation-building through local bodies, but will also perhaps check the run to those bodies for political power and prestige.

Ganesh made a further point of relevance. He invited all those working for Local Bodies to encourage and participate in collective thinking and planning. As he put it, "we must further

cultivate tolerance and team-spirit which are so essential for a successful working of democracy". Ganesh also asked for respect for human values and respect for the individual, whatever be his station in life. "Everyone" he said, "whether he be a Minister, a Municipal Councillor or an employee, must feel that others working with or under him are his colleagues and the national or the municipal work is equally the concern and responsibility of everyone".

That, in sum, was the philosophy of Ganesh in the matter of municipal work. He not only espoused it, but he lived by it. It was sad that his work for Ahmedabad was cut short, first by his election as Speaker of the Bombay Legislative Assembly, then by bouts of imprisonment and finally election, again, as the first Speaker of Independent India's first Parliament. Once out of municipal work, he never got back to it again, much as he wished to. He had seen power, though not the executive power of a Minister. But as Speaker, both in Bombay and Delhi, he was held in awe and respect. Once, in a moment of levity, Ganesh told Balgangadhar Kher, the Premier of Bombay, that between them, Kher wielded greater power. "That may well be" countered Kher with a twinkle in his eyes, "but in the Assembly, if you ask me to sit down, I have no alternative but to obey you!".

Kher and Mavalankar were contemporaries. In fact at one stage Ganesh was even considered briefly to be the first Premier of Bombay when the controversy over K.F. Nariman was at its height. It was later settled that Ganesh should be the Speaker and Kher the Premier. It was a wise choice. Ganesh had what many did not have: expertise. His years both as a Municipal Councillor and later president of Ahmedaabad Municipality stood him in good stead. He knew how to handle Councillors who were wordy. He knew how to be gentle but firm. And he knew the duties and responsibilities of a Speaker as few, before or after him, knew. After 1937 Ganesh was to make a different kind of mark that had little or nothing to do with the law or municipal work, two of his great loves, besides education.

III

Early Moorings in Political Life

IF GANESH AND Sardar Vallabhbhai Patel started legal practice together, their political life also started together. They lived close to each other. Indeed from the balcony of the Mavalankar Haveli he could talk to Vallabhbhai, even if they had to shout at each other because the Sardar was living in a small house diagonally opposite to the Haveli. The house belonged, as a matter of fact to Ganesh's uncle, Gajanan Krishna Mavalankar. Ganesh and Vallabhbhai were very close. They would frequently call on Gandhi at the Sabarmati Ashram walking four miles each way and discuss the problems of the day *en route*. They hardly had any secret from each other. In 1917 Vallabhbhai was elected member of the Ahmedabad Municipal Board and Ganesh followed suit. Between 1919 and until the time when Vallabhbhai quit local politics to play a greater role on the national scene, Ganesh and he were colleagues and co-planners of many important steps. When Vallabhbhai started an agitation against *begar* (forced labour for government purposes), Ganesh was with him. When Vallabhbhai led another agitation against the appointment of a British member of the Indian Civil Service as Municipal Commissioner, Ganesh was again with him. The agitation succeeded.

When Vallabhbhai decided, as chairman of the Sanitary and

Public Works Committee of Ahmedabad Municipality, to stay on in the city when most of the citizens had left during the plague epidemic, Ganesh stood by him. In 1918 famine relief work had to be opened in Ahmedabad district. In Ganesh, Vallabhbhai had an able lieutenant.

The next big activity was the Kaira District No-Tax campaign in 1918. Vallabhbhai was to take the lead but the inspiration came from Gandhi, as president of the Gujarat Sabha. Trouble started slowly. A drought had blighted the crops in Kheda district. The "Revenue Code" provided for a total remission of the land revenue when the crops were less than twenty five per cent of the normal yield but how bad was the drought, really? Opinion differed. On-the-spot inquiries by three members of the independent and highly respected Servants of India Society and estimates by Vithalbhai J. Patel, then a member of the Bombay Legislative Assembly and Gandhi himself put the damage at more than three fourths of a good year's yield. But officials stoutly maintained that these estimates by 'outsiders' were grossly off the mark. Petitions submitted by the peasants were returned because they had not been "sent through the proper channels". District officals were of little or no help. The Governor told a deputation that waited on him that he saw no ground for intervention. The scene was set for trouble.

It was towards the fag end of the war and Gandhi was most reluctant to create trouble for the government. At the same time he could not turn a blind eye to the sufferings of the peasants. Something had to be done. He first asked for a Committee of Inquiry to assess the damage to the crops. The demand was turned down by the authorities. Worse the Commissioner issued threats that those who did not pay the land revenue in full would risk the confiscation of their lands. It was at this stage that Gandhi called on the peasants to "fight unto death against such a spirit of vindictiveness and tyranny" and to refuse to pay the land revenue. He told the authorities that a war was no excuse for injustice and oppression.

This was the first real agrarian satyagraha which Gandhi

organised in India, but in waging it he had the unflinching support of Vallabhbhai who toured the villages of Kaira to train the people in the hard school of satyagraha. The government tightened up the tax collection. Those who refused to pay were dealt with harshly. Cattle and even household goods were summarily confiscated and standing crops attached. The peasants faced all this with grim determination. Behind the peasants was the iron strength of Vallabhbhai. Behind Vallabhbhai was Gandhi who said that in Kaira, he was testing his disciple who had proved to be "pure gold". It was in Kaira that Vallabhbhai earned for himself high plandits.

Ganesh followed events in Kaira with customary zest and provided the 'back-support' to Vallabhbhai. It was the Gujarat Sabha, with Ganesh as its Secretary, which had originally demanded a revision of the tax rates on the grounds that government estimates were well off the mark and misleading. The campaign took its own course, but finally the Sabha's contention was vindicated and government assessments revised.

For Ganesh there were many more occasions to work under Gandhi in his capacity as secretary of the Gujarat Sabha. There was the time when influenza swept Ahmedabad and relief measures had to be undertaken. Then came the Rowlatt Bills, designed to strangle the nation's movement for self-rule. In Ahmedabad it was Vallabhbhai who spearheaded the agitation against the bills with, again, close support from Ganesh.

The year 1920 was a turning point in the life of Vallabhbhai when he organised the Congress campaign for election to the Ahmedabad Municipal Board. He discarded western dress and adopted khadi dhoti, kurta and chappals as his wear. His foreign clothes he set on fire. Bonfires of foreign goods was thereafter to be a routine not only in Ahmedabad but in the rest of India. The trend left its mark on Ganesh as well. After 1920, there was a new phase of public life in the country. The Indian National Congress adopted 'Non-Cooperation' as its policy and its constitution was changed in December of that year. The policy called for boycott of British educational institutions and

law courts. It was a hard policy to follow. Ganesh was then barely 32 years old and on the ladder of success. But he had made a commitment to Gandhi and to Congress and could not but willingly adopt what had been laid down. He suspended his practice as a lawyer for a period of one year (1921) and in view of Gandhi's prosecution and conviction in 1922 he continued the suspension for a period of another year.

But for Ganesh they were two of his busiest years. Firstly, he was the secretary of the Gujarat Provincial Congress Committee which was re-organised as the *first* Provincial Congress Committee, under the new constitution of the Congress, adopted in Nagpur in December 1920. He was also the general secretary of the local Reception Committee (headed, of course, by Sardar Patel himself) of the Indian National congress, which held its 36th session at Ahmedabad in December 1921. This was the first time that delegates sat on the floor and the session set new patterns of simplicity, austerity and business-like proceedings. Ganesh's organising skills, administrative competence and thoroughness in carrying out the minutest details brought him all round acclaim. A stickler to doing everything right, he made of the Ahmedabad Congress a resoundning success. Donations had to be solicted, accounts kept and a keen eye had to be kept too on expenditure. Meticulous as ever, Ganesh maintained accounts and within 24 hours of the conclusion of the session he submitted the final tally to the Congress Treasurer Jamnalal Bajaj's pleasant surprise. In Ahmedabad, Bajaj was subsequently to learn, everyone took accounting seriously!

Ganesh himself has recorded certain situations that arose during the Ahmedabad Congress.

I was Secretary of the Gujarat Provincial Congress Committee and was also the General Secretary of the Reception Committee of the 36th Indian National Congress held in Ahmedabad. The Reception Committee had planned the Delegates' Camp and other structures in pure khadi. I purchased khadi on a large scale and had to honour *hundis* to the tune of about ten to fifteen thousand rupees a day. I was

expecting for several months from the Bombay Committee a substantial sum of Rs 1 1/2 lakhs which was promised to be remitted. My reminders did not seem to have any effect. My balance dwindled to about Rs 50,000. How could I honour the fifth day's hundi, if I had not with me immediately the Bombay sum?

Bapu was to go to Bombay. I explained to him the situation and requested him to send me a wire that the money would be remitted that very day. That would ease the pressure on my mind. He agreed to do so. A telegram in those days cost only six annas (36 paise-Ed). I did not receive any telegram the next day. I was naturally very much worried and thought that Bapu must have forgotten about this small matter in the din and bustle of urgent work in Bombay.

The next day I got a letter which contained a telegram form with a telegram written and signed by Gandhiji for delivery to the Telegraph Office in Bombay. At the back of the telegram form Gandhiji wrote to the following effect: "Dear Mavalankar, I know I am prolonging your anxiety by 24 hours. But today being a holiday the telegram charges would be rather higher. As the money will be surely remitted, I preferred to save the telegram charges even if it meant continuation of your anxiety for some hours".

What a keen sense of economy in matters of public funds! Many people probably do not know that a number of Bapu's drafts and articles are written on the blank side of the telegrams or letters received by him.

The Reception Committee of the 36th Indian National Congress at Ahmedabad had resolved that no complimentary tickets for the Congress session should be issued to anybody for any reason. One day a message came to me, in the name of Bapu that I, as Secretary, should issue 18 such tickets. I was not even given the names of the persons, much less the reason for the issue.

I went to Bapu and had something of a tussle with him.

Myself:Bapu, have you really asked for such a big number of complimentary tickets?

Bapu: Yes.

Myself: may I know the names of the persons and why the tickets are to be issued to them?

Bapu: Mr. Soman knows the names. The reason for the issue is that each of them has paid more than Rs. 25,000 to the Tilak Swaraj Fund.

Myself: Does this not mean a premium on money in respect of one's contribution to the national cause?

Bapu: No.

Myself: Would you advise the issue of such tickets to people who have no money to contribute but have contributed out of their sweat and blood?

Bapu: Yes.

Myself: Shall I be justified in issuing such tickets for Mr. so-and-so who is working day and night with us and, but for whose help, we could not have made any progress in the matter of our arrangements?

Bapu: Yes.

Myself: Then, arguing the same way, why cannot I not issue such a ticket to myself?

Bapu laughed heartily at the question and said:"Yes, you can. But let me tell you that, if any of the invitees were to attend the Congress, I would surely say to them: "The Reception Committee has shown its courtesy. But wont you like to pay instead of attending free?"

This line of reasoning very much appealed to me as the maximum fee for a Visior's Ticket was rupees five thousand and I was very much short of funds.

Another difficulty then faced me in the form of a resolution

of the Reception Committee. I then said: "I shall issue the tickets, but there is a small difficulty about the resolution of the reception Committee. All the same, I think I shall issue the tickets.

Bapu: How will you overcome the resolution of the Reception Committee?

Myself: I shall let it alone. I do not think I can get the resolution rescinded.

Bapu: No, you should not act against the resolution of the Reception Committee.

Myself: Then what shall I do? I do not think I shall be able to argue with the reception Committee and carry conviction to them. I must, therefore, take the risk of displeasing them, if at all these tickets are to be issued.

Bapu: No, that would not be proper. You must hold a special meeting of the Reception Committee and get the resolution rescinded.

Myself: I will do so provided you agree to remain present at the meeting and argue with the members.

Needless to say that Gandhiji attended the meeting. The original resolution was rescinded and then the tickets were issued. While I was prepared to get my objective even by unconstitutional executive action, Gandhiji was not prepared to have the objective that way. No philosophy of "the ends justifying the means". The means had to be equally pure and as high as the aims. The small incident Shows Gandhiji as a real democrat.

That, of course, is Ganesh's assessment. The reader would notice how cleverly Ganesh got Gandhi to do his job, first by threatening to break a resolution somewhat cavalierly surely knowing that Gandhi would not approve of that, then by pleading his weakness which was a not-so-subtle way of seeking the Mahatma's help and finally agreeing to keep the law and the

requirements of the resolution if only Gandhi himself came to his rescue!

Ganesh attributes his 'success' to Gandhi's respect for democratic norms, but he neatly put Gandhi in a fix. In other words Ganesh hoisted Gandhi on his own moral petard and Gandhi had to capitulate. The story recounted by Ganesh tells us as much about Gandhi as of Ganesh himself. Like a good lawyer he knew how to make the Opposition work for him. In this instance the opposition was no less than Gandhi himself! It is difficult to say who really manipulated whom, but Ganesh surely and neatly boxed the Mahatma. Undoubtedly Gandhi saw through it all and played the game by the rules. Both won their points. Both played by the rules. That, one suspects, was Gandhism in practice.

As it had happened to Vallabhbhai, the Gandhi bug had bit Ganesh too, and during the non-cooperation movement when Gandhi asked his countrymen to disassociate themselves from British-run institutions he worked as Professor of Law at the Gujarat Vidyapeeth. That was the start of his interest in education and which was to lead him to larger educational enterprises in the years ahead. Those early twenties were certainly heady days. Indian politics was assuming a wholly new face. Gone were the days of petitioning and reliance on others. Agitation had taken over from petitioning. Where once the people looked to government for everything, Gandhi was spreading the message of self-reliance, in every field, whether in education, law, civil work and village industries. Spinning had come to take centre stage in Gandhian activities. Gandhi and the charkha seemed interchangeable. One could hardly imagine Gandhi without the inevitable charkha in front of him. Indeed Khadi became the uniform of freedom-fighters. When Ganesh took his second wife to call on the Mahatma, the first question the latter asked was whether she wore khadi. Slowly, Ganesh's sartorial style began to change. Three piece suit gave way to dhoti and long coat.

Gandhi preached the doctrine of simple living and high

thinking. Ganesh followed suit. Till 1926 his house in Ahmedabad had no electricity. The family had to be content with kerosene lamps. Though he was doing extremely well as a lawyer, he did not buy a car till 1932. When friends would tease him, he would say: "But why do I need a car? All my clients have theirs and they are always willing and ready to place them at my disposal!". He would tell his family: "Spend more on others' wants than on your own!" And yet, such was his respect for the individual he would never impose his way of life on either his wife or his sons. For himself he preferred khadi, but his family was free to make up their own minds.

Even without Gandhi's influence Ganesh had his own personal code of ethics. He would not, for example, ever take a morally weak case. He would have been aghast if a client came to him with a case of a very dubious nature. The man would have been politely told to take his brief elsewhere.

Ganesh who had an unusually well-marked sense of right and wrong, moral and immoral, would have no doubt grown in his own way, but Gandhi gave his life a sense of direction and pupose. Gandhi had entered Indian politics on his own terms and in his own way. Would he have been a different kind of leader had Gokhale whom he revered been alive? In January 1921, nearly six years after Gokhale's death, Gandhi was to write that it was "blasphemous to conjecture what would have happened if Gokhale were alive today. I know I would have been working under him". Had he done so where would Ganesh have been? Another member of the Servants of India Society? Or, again, if Gandhi had been born in Allahabad or Dacca or Coimbatore, would Ganesh have been so ardent a follower of him? It was to happen that Gandhi came from Gujarat stock, that he set up his ashram in Sabarmati, not far away from Ahmedabad and that Ganesh was too close to him not to be influenced by the Mahatma.

This is not to say that those far away from Gandhi were not similarly influenced by him. After all among those who gave up their lucrative careers and, as his biographer B.R. Nanda was to

say, "queued up for prison under Gandhi's leadership" were men like Motilal Nehru, Rajendra Prasad, Chittaranjan Das and C. Rajagopalachari to name only a few. Only, it so happened that Ganesh was right in Ahmedabad and Gandhi's spell on him was perhaps that much stronger. If Motilal Nehru, infinitely richer than Ganesh could give up his life-style, Ganesh could not possibly do any less. Motilal who had given up his magnificent practice at the Allahabad bar once wrote to Gandhi from a small health resort where he was convalescing: "The brass cooker has taken the place of the two kitchens, a solitary servant not over-intelligent, that of the old retinue. The three small bags containing rice, dal and *masala*, that of the mule-load of provisions.... the *shikar* have given place to long walks and rifles and guns to books, magazines and newspapers-...What a fall, my countrymen! But really I have never enjoyed life better!" Ganesh, more modest, could have said much the same. With Gandhi as a leader, life to him had become fuller, richer and more meaningful.

But Gandhi had taken a breather in the second half of the twenties. The first phase of the non-Cooperation Movement had worked itself out. The Khilafat agitation in which he was to take a prominent part had also grounded to a halt. The Khilafat was to be killed by the Turks themselves when, under the leadership of Kemal Ataturk, they dethroned and banished the Sultan Caliph and declared Turkey a republic.

Indian politics had gone into a spasm. The aggressive non-cooperation programme had been revoked, spreading confusion in Congress rank and file. Some Congress leaders, including C.R. Das, Motilal Nehru and Vithalbhai J.Patel had never really favoured the idea of boycotting the new legislatures brought into being by the Indian Reforms Act of 1919. In 1920, such was the charisma of Gandhi, that they had allowed themselves to be persuaded by him to agree to a boycott. But once mass civil disobedience was given up they favoured entering the legislatures, not so much to work on them, but to expose them for their limited character. This was to lead to a

kind of 'groupism' within the Congress one group unwilling to change and another wanting a departure from the non-cooperation stance.

But events were taking place in Ahmedabad itself that kept Ganesh on his toes. In 1922 the Government of Bombay suspended Ahmedabad Municipality after a sharp tussle over supervision of municipal schools. The municipality was re-instated only in 1924. Fresh elections gave Congress a decisive majority and Ganesh was active in the electioneering and he was back in it as a councillor, working on the Legal Committee in close collaboration with Vallabhbhai Patel who had been elected president in 1924. As has been noted, municipal work absorbed Ganesh. During this period, the municipality completed the drainage system. A scheme for supplying pure water was also passed. When unprecedented rainfall caused great damage and hardship throughtout Gujarat, Ganesh worked in tandem with Vallabhbhai for organising relief measures. Those were years of intense activity.

But while municipal and other works of a constructive nature kept Ganesh fully occupied on the political front, life had sobered down. When Jawaharlal Nehru returned to India in December 1927 after a long sojourn of twenty months in Europe, he sensed a change in the political atmosphere. "Early in 1926" he wrote, "India was still quiescent, passive, perhaps not fully recovered from the efforts of 1919-1922; In 1928 she seemed fresh, active and full of suppressed energy".

There was, of course, reason for it. Those who believed in fighting the government in the legislatures had failed. General elections held in 1926 had reduced the strength of the Swarajists. Except in Madras, they lost their seats everywhere. In the legislatures, the Swarajists found it a heart-breaking job to wage a battle of wits year after year with an irremovable executive which was backed by an official *bloc* in a legislature elected on a strictly communal franchise. It was to lead Vallabhbhai Patel a confirmed 'No-Changer' since 1922 to say sarcastically of the Swarajists: "Those who had set out to smash the government had themselves been smashed"!

Half a decade had passed since the first non-cooperation movement ended and the nation was again getting to be restive. Aware of the situation in India, the British government in London wanted to forestall another bout of agitation and decided to send a Royal Commission to India. On 2 November 1927, a number of Indian leaders including Gandhi, Motilal Nehru, M.A. Ansari and M.A. Jinnah were summoned to the Viceregal Lodge in Delhi and handed a document which announced the appointment of a Royal Commission. The leaders had been summoned from their respective home states for no other reason except to be told about the appointment of the Commission. Gandhi had travelled a thousand miles which was a waste of his time. He was later to wonder why a postcard had not been used to convey the information to him!

The Commission composed of "second flight men" was headed by Sir John Simon (though, interestingly, among these 'second flight men' was Clement Attlee who was to become Prime Minister of Britain twenty years later!). That was affront enough to Indians. What irked them more was the fact that no Indian had been included in what was "an all-White Commission". Britain argued that a Royal Commission was answerable to the British Parliament and could not, by its very nature, draw any personnel from outside. But Indian national sentiment not only felt aggrieved, but insulted. It seemed to them a blasphemy that a handful of Englishmen should come to India to look into the fitness of Indians for self-rule. The Indian National Congress therefore decided to boycott the Commission "at every stage and in every form". The boycott was nation-wide and everywhere the cry went up: "Simon Go Home!"

It could not have been otherwise in Ahmedabad as well. Here the boycott took a strange form. The day the Simon Commission landed in India happened to be the day when students of the Gujarat College were to take the terminal examination. The call for boycott having been given, the strongly nationalist-minded students decided either to absent

themselves from the examination or to hand over blank papers in protest. This enraged the British Principal of the College, Mr Findlay Shirras, who wanted to penalise the students. Predictably, the student body some 750 strong decided to go on strike. Ganesh, a former student of the College acted as friend and guide of the students and led the strike. But wisely he arranged for classes to be given outside the college premises, in order to keep the students out of mischief. The strike, which had the blessings of Gandhi, lasted for 35 days. The Principal finally gave in. It was a moral victory for Ganesh —and for the students.

That was excitement of sorts. Ganesh was feeling the heady power of leadership on his own. A strike of 35 days was a prolonged affair and he had successfully weathered it. He had kept the students together and had negotiated with the Principal. It pleased him that he had won a battle, even if it was a minor one

Events were now moving towards the second phase of agitation. The boycott of the Simon Commission had raised the political barometer and the tempo of political activity was also on the rise. Gandhi had played little part in the Congress session of 1926 in Gauhati and in the Madras session in 1927. After the Simon Commission, leading politicians, accepting the challenge of the British Secretary of State for India, Lord Birkenhead that he wished to hear suggestions for Indian self-rule from Indians themselves, had drafted proposals under the chairmanship of Motilal Nehru. The Nehru Report as they came to be called, accepted Dominion Status as the goal for India. This was not asking for much, but then Motilal had to contend with several parties of diverse opinions who were not over-eager for total independence and as chairman he had to hit upon the lowest common measure of agreement among them. But it did not satisfy the younger elements in the Congress Party, especially fire-brands like Jawaharlal Nehru and Subhas Chandra Bose who wanted nothing less than independence. Matters were to come to a head at the Calcutta session of the

Congress held in 1928. The president for that year was Motilal Nehru himself, and sensing difficulties he appealed to Gandhi to attend the session. "You have made me sit in the presidential chair and put upon my head a crown of thorns; but at least do not look at my difficulties from a distance" he appealed. The appeal went home. Gandhi's word, of course, carried weight and he was able to persuade the firebrands not to rock the boat. He devised a compromise. The Congress, he said, should pass a resolution accepting the Nehru Report in toto but on condition that, if by December 1929, it was not accepted by the Government, the Congress would demand complete independence and fight for it, if necessary, by resorting to non-violent non-cooperation. He advised Congressmen to close their ranks because hard work lay ahead.

The British Government was not about to listen to Congress demands and the "year of grace" passed with London not moving in the direction the nationalists had indicated. The die was soon to be cast. The Indian National Congress meeting in Lahore in 1929 on the banks of the Ravi, unfurled the flag of independence under the presidentship of Jawaharlal Nehru. The Congress called upon its members in the central and provincial legislatures to resign their seats and authorised the All Indian Congress Committee to launch civil disobedience.

For Gandhi these were tense days. He told Rabindranath Tagore in January 1930 that he was furiously thinking "night and day" as to what steps he should take next. Whatever he did, Gandhi knew that it had to be defiant and sacrifice-demanding. Else it would not attract the "secret, silent, persevering band" of young men lured by violence. It also had to be non-violent, since he was sworn to the creed. And it had to be uncomplicated so that its appeal would be universal and anybody could join in and have the feeling that he had contributed something, in howseoever small a measure, to the attainment of independence.

In his biography of C. Rajagopalachari, his grandson Rajmohan Gandhi (who is also the grandson of the Mahatma)

wrote: "Suddenly it came to him; break the salt law. By taxing the manufacture and sale of salt the government was hurting even the starving millions, the sick, the maimed and utterly helpless. The people, Gandhi saw in a flash, should make their own salt and deprive the government of the 'inhuman' tax".

The Congress Working Committee met in Sabarmati in mid-February 1930. Gandhi gave his colleagues a hint about what he had in mind. On 15 February Rajagopalachari asked the public to get ready because the General—meaning Gandhi—was about "to sound the bugle of non-violent war".

On 12 March 1930 Gandhi along with seventy nine volunteers left his ashram at Sabarmati for his 'long march' to Dandi to initiate salt satyagaraha. Ganesh, of course, had got hint of it earlier. He was close to Vallabhbhai who was doing much of the planning and had preceded the marchers to arrange accommodation for them as well as food, meagre though it was. Vallabhbhai had alerted Ganesh.

Ganesh did not directly participate in the salt satyagraha. But for the second time he practically suspended his flourishing legal practice. But he had work to do. At Ranpur, in Ahmedabad district, it was alleged that the police had committed certain excesses, like beating up people indiscriminately and behaving indecently toward womenfolk. The Gujarat Provincial Congress Committee thereupon appointed a Committee of Inquiry and appointed Ganesh as its chairman. His colleagues on the Committee were some of the most distinguished citizens of Ahmedabad, including Saraladevi Sarabhai. As expected, the Collector of Ahmedabad banned the inquiry. Ganesh asserted that the inquiry would nevertheless be held on the grounds that the Collector's action amounted to an unwarranted interference with the peoples' right to know the facts. He decided to disobey the Collector's orders. Predictably, he was arrested, tried and sentenced to two months R.I with an additional fine of Rs 500.

This was a scandaloys show of official arrogance and high-

handedness and the Ahmedabad Bar raised a protest and as a result of their application the matter went up to the High Court which held that though the order banning the inquiry was legal, the prosecution was bad. But by the time the High Court decided the matter, Ganesh and his colleagues had already served a month and a half's imprisonment.

This was the first of his four terms of imprisonments and Ganesh was now blooded. Out of jail he was elected to the Ahmedabad Municipality in November 1930 and quickly became its President and was to continue in that position till Novembr 1933, with, however an interregnum in jail. This time for a different reason.

The year 1930 came and went. Gandhi was arrested at a village called Karadi, near Dandi on 5 May, 1930 and taken to Yeravada prison in Pune. The governement went on a repression spree such as the country had not seen before. Over 60,000 Indians were sent to jails and among them were stalwarts like Rajagopalachari, Madan Mohan Malaviya, J.M. Sen Gupta, B.G. Kher, K.M. Munshi. Gandhi's arrest stimulated rather than slackened resistence to the government. India was once again in rebellion, peaceful though it was.

As happened in the past there were peace feelers from the government to Gandhi. Motilal and Jawaharlal were consulted. So were others. Finally in a letter dated 15 August 1930, the Congress leaders explained to the peace-makers that mere declaration of good intentions were not enough, that India must be allowed to determine her own future and that the Congress was prepared to call off civil disobedience if its basic assumptions in constitution-making were accepted. Congress leaders also demanded that political prisoners be released, confiscated property returned and dismissed officials be reinstated.

As time passed on nothing else seemed to move. A Round Table Conference was held in London in 1930 but the Congress was not represented on it. Then the Viceroy relented and released Gandhi on 25th January 1931. Discussions took place

between the Viceroy, Lord Irwin and Gandhi which resulted in an agreement called the Delhi Pact. Under the Pact, Gandhi was to attend another—the second—Round Table Conference in London. He reached London on 12 September 1931 but soon found that the cards were stacked against him. The conference had been packed with Indian leaders sympathetic to Britain and Gandhi found that he had little to do with them. At the conference he had made a fervent speech demanding independence, but was told by Sir Samuel Hoare, the Secretary of State that he thought Indians were unfit for complete self-government. There was no meeting of minds. Gandhi decided to return home.

Gandhi was back in Bombay on 28 December 1931 but within a week he was re-arrested and civil disobedience was once again resumed. The Gandhi-Irwin Pact (Delhi Pact) was in tatters, the Congress, for all practical purposes, was outlawed. Within a few hours of Gandhi's arrest, members of the Congress Working Committee too had been arrested and the Government promulgated a series of Ordinances. Not only the Working Committee, but innumerable local committees, Congress Libraries, hospitals and Youth Leagues were banned. Repression this time was severe. But that did not deter the people. As many as 61,551 convictions for civil disobedience took place in the first nine months of 1932. Meanwhile, government had decided to grant separate electrorates to the depressed classes—something that Gandhi abhorred with his entire being. As a mark of protest he decided to go on a fast to death from 20 September 1932. The fast forced everyone to think furiously about the significance of the Communal Award. The one man who was stubborn was Dr B.R. Ambedkar, the Scheduled Castes leader who wanted separate electorates, which the Communal Award had given to his community. But Ambedkar was persuaded to change his mind and prevailed upon to agree to a compromise popularly known as the Poona Pact. It doubled the representation of the depressed classes in the provincial legislatures but revised the electoral system. Joint electorate prevailed with certain built-in safe-guards. "One of

the greatest campaigns of social reform" B.R. Nanda was to write, "was thus launched by a state prisoner".?

But Gandhi knew that an ancient wrong done to Scheduled Castes—the Untouchables—was not going to be righted overnight. The Communal Award had alerted him to the lurking danger in the country. Now Gandhi decided to fight untounchability from the prison itself. He arranged for the publication of a new journal called Harijan to promote his anti-untouchability campaign. As the campaign gathered momentum, even while he was still in jail, Gandhi decided, once again, to go on another fast, this time for 21 days. The date set was 8 May 1933. On that very day, however, the government released Gandhi who was taken to the home of Lady Thackeray in Pune where he went through the 21-day ordeal.

3

Meanwhile in Ahmedabad, the movement for boycott of British goods was in full swing. Ganesh was arrested in February 1933 in connection with the movement for boycott of British machinery for mills. He was removed first to Sabarmati Central Prison and then transferred to Ratnagiri where he was released and interned in the district. It was in Ratnagiri that Vinayak Damodar Savarkar had similarly been interned.

The internment lasted till June 1934. He was released even as the monsoon was breaking and taken back to Ahmedabad where he received a hero's welcome. Congress and government had met in head-on collision and Congressmen had paid a grievous price. Thousands had courted jail. But by mid-1934 government felt it could handle the situation and on 6 June 1934 it announced that since civil disobedience had been formally discontinued and as a practical policy it could be regarded as having already ceased to exist, the notification declaring the constituent parts of Congress organisation illegal were being withdrawn.

In a way it was a triumph for the government. Many in Congress felt deeply hurt and humiliated. The government's harsh repression had temporarily numbed the country and the withdrawal of civil disobedience gave people a feeling of defeat. Jawaharlal Nehru felt spiritually isolated. Gandhi consoled him, but among the people who had harkened to his call there was a general feeling of being let down.

Life already was hard. The recession which hit in the United States in 1929 was now being felt in India. Unemployment stalked the land. Gandhi was in a quandary. His method had failed. For the second time he had taken his troops forward only to get a battering.

There was disenchantment among Congressmen B.R. Nanda puts it well when he writes:

> ...Gandhi was misunderstood by the rank and file. The conviction grew upon him that some of his followers were tired of his methods and views... that his personality was unfairly dominating the Congress and interfering with its democratic spirit. He felt that he owed it to himself and to his followers not to strain their loyalty unduly. The suspension of civil disobedience and the revival of the Swaraj Party were not the only issues... His renewed emphasis on the spinning wheel as 'the second lung of the nation', seemed misplaced to many as was his moral and religious approach to the removal of untouchability.....

There was only one thing for Gandhi to do. To retire from politics. He confided in Vallabhbhai Patel. He wrote: "I do not leave the Congress in anger or in a huff nor yet in disappointment". He had other irons in the fire. Removal of untouchability. The Constructive Programme. Village improvement. The Bombay session of the Indian National Congress meeting in October 1934 formally registered Gandhi's retirement from that organisation and he ceased to be what was then called "a four-anna member". Congress membership fee was then four annas (25 paise) but after 1934 Gandhi had ceased to

be a certified Congressman. Congress, however, authorised the formation, under Gandhi's guidance of the All-India Village Industries Association which was to work for the revival and physical advancement of India's villages.

For Ganesh, too, this was the beginning of another life. Political activity of constant confrontation with the government had, for all purposes, ceased. He immersed himself in his favourite activity, municipal work. There was any amount of meaningful and constructive work to do. Sardar Vallabhbhai Patel, his elder and mentor was now devoting his time more and more to Congress party affairs and out of municipal work. The burden fell largely upon Ganesh. He took it upon himself enthusiastically. He was elected president of the Municipality for 1935-36.

By now Ganesh had come to be interested in education. As an elected member of the Ahmedabad municipality he had been deeply interested in primary education, believing as he did that India required educated men and women to make swaraj work and that this process must start from the elementary school level. Now he extended that interest and with some of his friends started that Ahmedabad Education Society in 1935.

His interest in education at all levels was unflagging. He was, of course, a trustee of the Gujarat Law Society from its very inception. It was this Society that was instrumental in starting in 1929 the first Law College in Ahmedabad called Sir Lallubhai Ashram Shah Law College. Till then students desirous of getting degree in Law had to go to Bombay. Ganesh also became the president of the Gujarat Vernacular Society in 1944, a premier society founded in 1848 by James Forbis which was later to be known as the Gujarat Vidya Sabha. Its aim was to work for the advancement of Gujarati language, literature and research generally. Indeed, his presidentship of the Gujarat vidya Sabha spanned over a period of twelve years, from 1944 to 1956 during which he gave the organisation new directions. And to crown it all, he was the working chairman of the Gujarat University Association as also the chairman of the Committee

for Gujarat University appointed by the Government of Bombay during the first Congress Ministry in the Post-World War II period.

During all this time the ferment of change was acting inexorably elsewhere. The Indian Reforms Act of 1919 had contained a provision for a review of the constitutional field after ten years. Though discussions were initiated two years earlier than scheduled with the appointment of the Simon Commission in 1927, nearly a decade was to lapse before the next instalment of reforms was actually granted. During those ten years India had been rocked by nationalist discontent. Twice Gandhi had led his countrymen in civil disobedience and non-violent Non-cooperation and though, at that time, the campaigns seemed to have failed, their unseen impact was noticeable in Britain where yet another dose of reforms was worked out. This was the Indian Reforms Act of 1935 that Jawaharlal was first to contemptuously dismiss as a "Charter of Slavery".

British statesmen had a problem. Unbekonest to Indian leaders they had come slowly to realise that ruling India in the old ways was going to be increasingly difficult. As the Machester Guardian summed up the situation, since the British could neither govern nor get out of India, it was necessary "to devise a constitution that seems like self-government to India and at Westminister like British Raj".

How did the Indian leaders react to the developing situation? In a small pamphlet entitled A Great Experiment published in 1951 by the All-India Congress Committee, Ganesh put the matter in its proper perspective. He wrote:

> The revolutionary change in the conception of Swaraj brought about, as a necessary corollary, a change in the methods by which it was to be achieved. At the Nagpur Congress of December 1920, it was declared that the goal of the Congress was 'attainment of swaraj by all legitimate and peaceful means'. The reader may note that the word

was 'legitimate', not 'lawful'. Non-violence being a condition precedent to a broad-based democracy, the attainment of Swaraj had necessarily to be by peaceful means and it was further declared that swaraj being the birth-right of people, any means for its attainment, provided they were not violent or against morals, were perfectly legitimate. The Congress, therefore started the programme of non-violent non-cooperation with the Government. This in turn necessarily meant the closest possible cooperation among the people and self-reliance in all respects. The Congress programme of khaddar and village industries for economic betterment, removal of untouchability for social justice, boycott of schools, courts and titles to destroy the halo and prestige about them in public mind were the natural results flowing from the means permitted by the Congress as legitimate. These steps were intended to organise the people on all fronts and in all aspects of life.

The Congress thus became the spearhead of the national aspirations and movements. It ceased to look at the Government for anything and pinned its faith in the millions of this country for achieving independence. The technique of non-violence gave a new outlook and hope at a time when there was a sense of frustration with regard to the achievement of our political aims.

During the long-period of 1921-1934 the Congress stood aloof from the legislatures in the country. But at large number of our intellectuals soaked in the western ideas of democracy, could not be convinced that what was called the construetive programme of Gandhiji was the real foundation on which a democratic structure could be raised. A parliamentary programme in which the best of us could only argue and advance pleas would be of no avail to bring about a fundamental change in the outlook and method of the governmental administration. But the Congress later accepted entering the Legislatures as a

matter of compromise with some of the best and tallest of our patriots whose sincerity and honesty could not be doubted.

One need not go into the history of the Civil Disobedience struggles of the Congress on various occasions between 1930 and 1944... All through this period the Congress insisted that they would not recognise the right of any outside agency or power to frame a constitution for India and when the Congress decided to enter the legislatures and accepted ministerial responsibilities under the 1935 Act passed by the British Parliament, it was on the express understanding and reservation that there would ordinarily be no interference by the British Governors in the work of the ministries.

The country had passed through one phase of civil disobedience. That was followed by a lull in political activity. Gandhi went on a tour to preach removal of untouchability and travelled extensively throughout India. But with the passage of the Government of India Act 1935, a new chapter was to begin in India's history. And Ganesh was to play a prominent part in it.

IV

Ambidextrous Handling of Legislature and Public Life

THE RELUCTANCE OF the Congress to participate in elections under the Government of India Act 1935 was understandable". Under it the powers of the Federal Legislature were circumscribed. The Legislature, for example, could not vote on expenditure on the military, the Services and interest charges. In the the provinces a wider freedom was permitted to Ministers responsible to elected legislatures but even there their powers had been restricted in financial and other matters on which the Governors had been invested with over-riding and preventive authority.

These and other provisions were not quite meant to enthuse the Congress and at the Lucknow session of the AICC Jawaharlal Nehru declared that the new constitution offered Indians responsibility without power. He couldn't have been more accurate. The contentitious part of Provincial Autonomy which later gave rise to controversy was that the Act prescribed that there shall be "A Council of Ministers to aid and advice the Governor except insofar as he acted in his discretion in certain matters and provided that he was free to exercise his individual judgement in certain other matters. These exceptions to the

general rule of cabinet responsibility came to be known as safeguards.

The Governor was indeed vested with vast powers. He could act in his discretion in summoning the legislature, in appointing Ministers and in giving or withholding bills or their reservation. The Ministers were free to tender advice, but the Governor was equally free not to accept it! The Governor had his "special responsibilities" and these included the prevention of any menace to the peace and tranquility of his province or any part thereof. Significantly the Governor was also responsible for safeguarding the legitimate interests of minorities, the protection of the rights of civil servants, a good portion of the senior among them being Britishers, the prevention of administrative discrimination against British commercial interests and the protection of the rights of (native) states and their rulers!

In other words, the British Government was taking care of itself as well as it could be keeping the 'minorities' on their side, by mollycoddling the native rulers to keep them as friends of Britain and both British civil servants and British commercial interests were fully protected.

There were many more things along these lines. It was the responsibility of the Governor to name the Advocate General, Police Rules could not be altered by the Indian Ministers as also certain public service questions. What sort of provincial autonomy, then, was this that was being offered to the people of India?

Sensing Congress disenchantment, the British Government, still anxious to put the Government of India Act 1935 in action decided to enlist the support of Sardar Vallabhbhai Patel. The British Government rightly sensed that the key to any policy support lay in the hands of the Sardar. Consequently, the Home Member of the Viceroy's Executive Council, Sir Henry Craik, sought an interview with the Sardar through the courtesy of Ghanshyam Das Birla. Sir Henry tried hard to convince Vallabhbhai of the honesty of British intentions. He reportedly

laid stress on the Government's genuine desire—through the new reforms to give India a taste of maximum responsible self-government. Vallabhbhai was not convinced. He wanted proof of British sincerity. How could he take the Home Member's words when Ashrams and Vidyalayas taken over by the government were still in its hands? Many people were still being transported from British India to Indian States on false charges to be detained there and Vallabhbhai reminded Sir Henry of the absurdity of a heavy sentence then just passed on Khan Abdul Ghaffar Khan.

Sir Henry failed to move Vallabhbhai. Next the Governor of Bombay, Sir Roger Lumley tried. He too had a secret meeting with the Sardar. To induce Vallabhbhai to be more cooperative, Sir Roger said the first Premier of Bombay would be none else than Vallabhbhai himself. It was a poor ploy and the Sardar quickly disabused Sir Roger of it. At that Sir Roger told Vallabhbhai that the lands which had been confiscated from the peasants would never be returned to them. Vallabhbhai was immune to such threats. He told the astounded Governor that in due course the lands would be returned to their lawful owners! The talks had to be aborted.

But the nagging question remained. Should or should not, the Congress accept office under the Government of India Act 1935 if elected by the people? At the Lucknow session of the Congress, Jawaharlal Nehru had made some strong reservations. But when it came to drafting the Congress election manifesto, he bent a little. Congress, he said in the draft prepared by him, would accept office only under honourable conditions. In a later statement Jawaharlal said that it was becoming clear that the fight was between two forces, the Congress as representing the will and freedom of the nation and the British Government in India and its supporters who opposed this urge and tried to suppress it. Nevertheless Jawaharlal prepared for fighting the elections. In a three-month tour of the country, Jawaharlal took it upon himself to address vast audiences of people who thronged to hear him. Swaraj

might still be far off, but if Congress could master sufficient majority it could still exercise power in the provinces.

The election was fought with great fervour in Bombay Province when they were held in February 1937. The Government of India Act of 1935 was to come into force on 1 April 1937 and there was no time to waste. Jawaharlal's ceaseless travel paid rich dividends. Congress scored an absolute majority in Madras, Bihar, Central Provinces and Berar, United Provinces and Orissa. In Bombay Congress was the single largest party.

Ganesh, of course, was nominated to represent the Jamalpur constituency in the city of Ahmedabad and he won with a handy majority. Once he got elected, he was to cease his law practice and never to pick it up again. His election to the Bombay Legislative Assembly ended that part of his career.

Now the question arose as to who should be the leader of the Congress Legislature Party. In the entire province Congress had managed to get 87 seats out of 175 seats, or just one short of the required majority. The Muslim League and the leader of the Schedule Castes, Dr B. R. Ambedkar had opposed the Congress on communal grounds. They, between them commanded a sizeable number of votes. For all that there was a distinct possibility that Congress could form a government. Only Congress wanted assurances of non-interference from the Governors which they felt unable to give. A crisis followed.

The Government could, according to the constitution, function without calling the legislature into being for a period of six months. Government hope was that during those six months Congress attitude toward formation of governments would thaw. But Congress was made of sterner stuff. In the circumstances the Government had to revise its attitude. Speaking on All India Radio on 21 June 1937 the Viceroy said that while he did not, for a moment doubt that the Congress was genuinely apprehensive of interference from Governors, he saw no basis in fact, for such apprehension. The Governors

would not seek occasions to interfere with the policies of the Ministers and there certainly would be no gratuitous and uncalled–for exercise by them of the special responsibilities imposed on them by the Act. It was a persuasive speech and a few days later, the Secretary of State for India spoke along similar lines in England. Thereupon, the Working Committee of the Congress meeting in Wardha in July 1937 resolved that Congressmen be permitted to accept office wherever they were invited. The working Committee, however, stressed that office was to be accepted and utilised for the purpose and in accordance with the lines laid down in the Congress election manifesto.

The position, so far as the British Government was concerned was further clarified on 12 July 1937 when the Governor of Bengal, Sir John Anderson speaking at a police parade, explained that the attitude of government servants should be governed by the principle that the new order of things involved no conflict of loyality, for the entire authority of the Crown stood behind its constitutional advisers acting in accordance with law. The door was now open for Congress to accept office without too many reservations. In Bombay the question arose as to who should be the leader of the Congress Legislative Party. K.F. Nariman, then a popular leader, was the obvious choice, but he had fallen out with the Congress High Command and there were doubts about his being chosen. Who else should it be, then?

A prominent name mentioned in Bombay was that of Kannaiyalal M. Munshi. Ganesh's name also came to be mentioned, as this report in the Pune Marathi daily Lokmat (edited by Raghunath Kheshav Khadilkar who, in later years, was to become a Deputy Minister for labour at the Centre) indicates.

> Bombay, 11 March: After the elections to the Legislature were over, private discussions and newspaper guesses as to who will be the leader started. In the belief that the leadership of the Congress Party in this province will

naturally accrue to the Bombay city, distribution of the work in the Assembly began in the Bombay Provincial Congress Committee. In the process the conflicts simmering within broke out into the open.

It is a matter of satisfaction that Maharshtra and Karnataka have kept themselves aloof from these quarrels. With the role of avoiding conflict of personalities raging in the party, Vallabhhbai Patel must have suggested the name of Dadasaheh Mavalankar, a close aide of his, from Ahmedabad. Though the conflict between Nariman-Munshi is rather old, no one had thought that it would take such a controversial turn. Nariman having been a leader of the Swaraj Party in the past, he had come into contact with many other Maharashtrians and his leaning is toward Maharashtra....

But it is not as if matters will smooth out were Maharashtra to support Nariman's candidature for leadership. For it cannot be forgotten that there is much prejudice about Nariman in Gujarat. It will also be wrong to suppose that the Controversy will end if Sardar Patel were to sponsor Mavalankar for the post.

In the rough and tumble of politics, Mavalankar is not that experienced. For this reason and for the additional reason that, because of the non-satisfaction of the ambitions of two combatants from Bombay, Mavalankar's position will be very much shaky. Considering all factors, in the meeting to be held tomorrow in Bombay, it now appears certain that Maharshtra and Karnataka will propose the name of some other person as its leader.

The paper hinted that the man whose name will be proposed would be Bal Gangadhar Kher, a well-known solicitor, known for his gentleness and non-controversial nature. And the paper added:

Even though Kher is a Maharshtraian, by virtue of his profession, he comes into daily contact with Bombay.

Similarly he is a good friend of both Nariman and Munshi. In fact Maharashtra wanted that Kher should contest from the Bombay University constituency. But because of the intense desire of Munshi to stand from that constituency, it is well-known that Balasaheb Kher stood down in his favour. So even if Munshi cannot get the leadership, he won't openly oppose Kher. It is also natural that if Nariman himself cannot become the leader, rather than the leadership going to Mavalankar from Ahmedabad, he would prefer that Kher gets it.

For he is aware that in order to neutralise him Mavalankar's candidature has been proposed. Considering all the above facts it will not be off the mark to anticipate that Kher's name sponsored by Maharashtra will find acceptance with Patel. By Mavalankar's becoming the leader against the wishes of all, all will be disgruntled and the party will undoubtedly be the sufferer....

And so it turned out. At the meeting of the Congress Legislative Party, Kher was elected. The day: 12 May 1937. But a Congress government was not formed at once. The party was awaiting assurances that there will be no interference from the Governor. In the circumstances, the Governor asked Sir Dhanjishah Cooper to form an interim Ministry in which Jamnadas Mehta and Sir Siddappa Kambli were included. It was only after the government thawed that the Working Committee of the Congress gave the signal to Kher to form his Ministry and submit the names of the cabinet to the Governor. On 2 August 1937 the first real business meeting of the new Bombay cabinet was held in Government House, Pune, after individual members were sworn in. The adventure of self-Government had begun in right earnest.

2

The Bombay Legislative Assembly though formed for the first time in 1937 has a long history behind it. Mountstuart

Elphinstone, the then Governor of Bombay Presidency was the first to lay the foundation of the rule of law by codifying the then existent laws governing the Presidency. From the Chartered Act, 1833 to the promulgation of the Constitution of India, 1950 Bombay saw successive steps in the ordering of administration in Chartered Act, 1853, Indian Councils Act of 1861, 1892, 1909 and 1919. Each Act registered some constitutional advance which before independence was to culminate in the Government of India Act, 1935.

The first meeting of the Legislative Council of Bombay formed under the Indian Council Act, 1861 was held in Bombay on 22 January 1862 under the Presidentship of the then Governor of Bombay, Sir George Russel Clark. Addressing the Council, Sir George Russel said: "Although your functions will be important, they need not be difficult. The several races subjected to our Laws in this Presidency, and generally throughout India, are not of a restless character, unless rendered restless by misgovernment and, everywhere they have an innate respect for authority whenever authority is respectable and wise".

And he added: "You will remember that you owe to those whom you represent a strict account of the fulfilment of your duties- to a people who reasonably desire your protection of their acknowledged rights, and to live in peace".

Earlier Councils were empowered only to make legislation and some of the Bills considered by them make interesting reading in retrospect: Regulation of Reformatory Schools for Juvenile Offenders, Extending powers of Muncipal Commissioner and Revenue and Police Commissioners; Regulation of markets and fairs; Vihar Water Works (Maintenance and Management) Bill; a Bill to regulate Burial and Disposal of the Dead in the Town and suburbs of Bombay-surely that could not have strirred any degree of controversy. Other Bills that were passed over the years included the District Police Bill, the Game Preservation Bill and a Bill for the Prevention of Gambling, the latter which must have raised some hilarity.

In addition to the passage of Bills, the Council heard Resolutions moved by Council members. Raghunath Paranjpe moved a resolution in regard to Modi Script in the official correspondence. Another resolution moved by Paranjpe was intended to stop government from moving to Mahabaleshwar for the Council meetings on grounds of economy. Another member, Shaikh Ghulam Hussain Hidayatullah moved a resolution for securing residential accommodation for non-official members of the Council at the place of the sittings. Vitthalbhai Patel, a prominent member who subsequently rose to be the first Indian Speaker of the Central legislative Assembly moved two resolutions: the first one was about free and compulsory education in the presidency (discussed and rejected on division with twenty yes and twenty noes" though the Government surprisingly voted for the resolution! The second resolution was about government servants attending meetings of the Indian National Congress. After a lot of discussion the resolution was permitted to be withdrawn.

Moving resolutions in those early Councils was quite an art. And unlike today's Assemblies, the early Councils had as members some of the most distinguished in the land, men like Jagannath Shankarsett, Sir Jamsetji Jee Jeen Bhoy, V.N. Mandlik, Barduddin Tyabji, K.T. Telang, Sir Pherozeshah Mehta, Mahadev Govind Ranade, Bal Gandadhar Tilak, Gopala Krishna Gokhale, Chimanlal Setalved, Sir Ibrahim Rahimtoola, C.V. Mehta and K.F. Nariman. When the Bombay Legislative Assembly came into being in 1937, then, it had a rich tradition to follow. Examples of debate had been set up, the give-and-take of argument had set precedents, and the Speaker, Ministers and Legislators could hark back to earlier days for some guidance in matters of doubt.

But it was Ganesh who can be said to have given shape and form to the onerous task of Speaker in an Assembly of Legislators freely elected by the people.

The very first session of the Bombay Legislative Assembly brought into being under the Government of India Act 1935

was held in Pune on 19 July 1937. The Honourable Rao Bahadur G.K. Chitale, B.A., L.L.M.; M.L.A. presided. First the Speaker called the meeting to order and read out to the House the government notification appointing him Speaker *ad interim*.

> In persuance of sub-section (3) of Section 65 of the Government of India Act 1935, the Governor of Bombay, acting in his discretion is pleased to appoint Rao Bahadur Ganesh Krishna Chitale B.A., L.L.M., M.L.A. to be the person by whom the duties of the Office of the Speaker of the Bombay Legislative Assembly until a Speaker has been chosen by the said Assembly shall be performed.

Having read the notification the Hon'ble Mr. Chitale first proceeded to swear in the Cabinet Members. Nominations for the Speakership had been previously invited and now they were recorded.

Mavalankar's name was proposed by Mr Nagindas T. Master and seconded by Mr S.K. Patil, both big names in the Bombay Provincial Congress Committee as President and Secretary respectively.

Mavalankar's name was also proposed by Mr M.C. Ghia and seconded by Mr M.Y. Nurie. He was further proposed by Mr M.C. Ghia and seconded by Mr M.Y. Nurie. He was further proposed by Mr S.H. Jhabvala and seconded by Mr R.A. Khedgikar. Then again-and it merely shows Ganesh's popularity-his name was proposed by Sir Chinubhai Madhowlal and seconded by Sakrlal Balabhai. Again he was proposed by Mr. Sakarlal Balabhai and seconded by Sir Chinubhai Madhowlal. Finally Mavalankar's name was proposed by Mr B.P. Thakore and seconded by Dr C.J. Ghia.

Three other names had also been proposed for the Speakership, those of Mr Gurusiddappa K. Desai, Rao Bahadur N.E. Navle and Mr V.N. Patil. All three of them withdraw graciously from the contest whereupon Mr Chitale declared the election of Ganesh as unanimous to loud cheers from the entire House.

On Wednesday, 21 July 1937 Ganesh occupied the chair for the first time. It was a historic occasion.

He knew, of course, that the honour was coming, but importantly, it was justly merited. As he took his chair, dressed in a spotless dhoti, a long coat and a Gandhi cap on his head, the legislators stood up to applaud him. A new era had been heralded.

The first to felicitate him, by convention, was the Prime Minister, Mr B.G. Kher. They were contemporaries and friends and had known each other for a long time. They were both still in their late forties—48, to be exact—and both had made their mark in politics and national activities.

"Sir" Kher now said, "it is my proud privilege as the Leader of the House to tender to you our most sincere and heartfelt congratulations upon your unanimous election to this high and exalted office. Your long and outstanding services to the country, your great administrative experience in the office of the President of the second biggest city of this Presidency, your legal acumen, all these are so well-known that I was sure in my own mind that your election to this responsible and distinguished position would be unanimous and uncontested. I need not, therefore assure you, sir, that you will receive the most loyal and hearty cooperation of the whole House....

"May I, sir, with your leave, on this unique occasion in the history of this country, in the history of the Indian National Congress, when members who have all along been in the Opposition are for the first time occupying the Treasury benches, say a word or two about the very difficult task that lies ahead of each of us and of you, sir, particularly?

"The attitude of the whole country—and I include in this all schools of political thought-towards the new Constitution has been too well-known. This is not the time when I should have to say anything more about it. But, sir, I might be properly expected perhaps to say something about our policy and programme. I do not wish on this occasion to dilate upon the

subject because in general outline they have already been placed before the country. I only wish to say that in the very difficult world that we will all have to accomplish, I am sure that you will maintain the very high traditions that have been set up before the country by distinguished men who have occupied the Chair before you. And this, therefore, reminds me of the very signal services, the very noble services, rendered to the cause of political progress by the late Vithalbhai Patel (applause).

"The Chair is always supposed to be the repository of the liberties of the House and in our great struggle, in our difficult work, it is but necessary that the Chair shall maintain these noble traditions unsullied and pure. I need not say that we all of us have the fullest confidence that in the great task that confronts us all, you will do honour to the great position which you are now, by the unanimous wish of the House, called upon to occupy. I resume my seat after tendering to you our most heartfelt congratulations" (applause).

Kher was followed by Mrs Salima Faiz B Tyabji (*Bombay City-Girgaum*) Mr A.V. Chitre (*Ratnagiri North*), Sir John Abercrombie (*Bombay Chamber of Commerce and Bombay Presidency Trades Association*), Jamnadas Mehta (*Railway Union*), S.H. Jhabvala (*Railway Union*), J.G. More (*Sholapur SW*) and S.D. Saklatwala (*Bombay Millowners Association*)

Mrs Tyabji said: "Sir, we assure you of the cooperation of the Muslim League in up-holding the dignity and tradition of the Chair... We hope and trust that the conventions established by you will bring us nearer to a free India (hear, hear!). Sir John Abercrombie said: "We desire to express our fullest confidence that you will carry in the high traditions and the impartiality which have been associated with the Chair.

The irrepressible Mr. Jhabvala (he was to provide many happy moments of hilarity in the days to come) said: "I am sure, sir, that while discharging your duty impartially, you will try and attempt to break away from the fold of imperialistic mouth gagging procedure which has been pursued in the past and hope

that you will give some partial consideration to weaker sections like me in this House who are representatives of working class".

Mr Jhabvala may have been good for laughs, but he was a serious man and his interventions, as his frequent speeches were always looked forward to by one and all, not least by Ganesh himself. Then Ganesh rose to make a suitable reply.

Honourable members" Ganesh said, addressing the House for the first time in measured tone, " I thank you heartily for the very great honour that you have done me by electing me to this Chair and particularly expressing confidence in me. I do feel the responsibilities of this office much more than what I would ordinarily have felt. I am conscious of my shortcomings, and your speeches have made me conscious of the heavy responsibilities. I have, however, to assure you, undertaken this task in a spirit of humility and service; and now I can say, in the confident hope of the cooperation of every member of this House, the task before us is truly Himalayan. We are, as has been said by our Premier, on the threshold of a new regime and the way in which we proceed to mould the destinies of this province is sure to have far-reaching consequences for the future."

He added: "As has been pointed out by one of the speakers, we are the first Assembly under the new Constitution and if we are likely to be looked upon, in future, to be in a historic position, it is to my mind as well for us to remember that our responsibilities are also correspondingly heavy. With the decision of that great national assembly, the Congress, to accept office, the country is expectant of a new era of hope, of a change in the outlook, system and traditions of government. In fact, I am very glad that so many speakers have referred to that expectation and it will be for us all to lead to the fulfilment of the popular expectations."

"I need hardly assure you" Ganesh said in conclusion, "that as the Speaker is a non-party man, I shall continue to be a non-party man and administer the rules and regulations with strict impartiality irrespective of any party or personal considerations".

As he came to the end of his brief speech, he was again greeted with a round of applause.

Even before he rose to thank the various speakers for their felicitations, he did a novel thing. He asked the legislators to stand up for the singing of the Vande Mataram. It will be remembered that this was much before Jana Gana Mana had been chosen as the National Anthem. For Congressmen, Vande Mataram was the song to which they had marched, the song that came to their lips as police rained blows on them. It was inevitable, therefore, that Congress legislators should suggest that this be sung. Ganesh took note of this sentiment and said; "Hon'ble Members, I understand that it is the wish of the House, that is what is communicated to me, that proceedings should begin with the singing of Vande Mataram and I now request all of you to stand up while it is being sung. And so they did.

The Bombay Legislative Assembly quickly came to be distinguished for the able manner in which its proceedings were conducted by Ganesh. No wonder when the time came, it was Ganesh who was invited to be the first Speaker of independent India's first Parliament. One of the earliest rulings he gave was on Privileges, though it was on a relatively minor matter. A Bill (L.A. Bill No XXIV of 1938—a Bill to protect the tenants in the Province of Bombay) was being considered on its first reading when P.W. Wagh, a member raised a question of Privilege.

"Sir" said Mr Wagh, " before the Honourable Member, Sardar Vinchoorkar proceeds, I want to draw the attention of the Chair to one matter affecting the privileges of this House. Yesterday, in one of the daily newspapers of this city, a statement was published. That statement is calculated to cast a reflection on me, suggesting that I did something which is strictly prohibited by the Rules of this House. Indirectly it casts a reflection on this Chair also in having allowed me to do a thing which is strictly prohibited. May I read that statement or send you a copy of that paper?" The Honourable Speaker suggested

that the Member give him the gist of his complaint. A certain newspaper had stated that the Member had read his speech instead of delivering it extempore as the Rules demanded.

"Now, Sir" continued Mr Wagh, "under the Rules of this House, I am not entitled to read my speech. This statement, therefore, is a deliberate lie and I leave it to the Chair as to what steps should be taken and in what way".

Ganesh tried to ascertain the facts. Mr Wagh stated that he had notes before him and that he perused them occasionally and he was entitled to do so. Ganesh thereupon gave his ruling.

"It is now clear" he said, "from the statement of the Honourable Member that he was referring to his points and not to a written speech as perhaps the reporter, from a distance may have thought. I do not think any serious notice need be taken of this matter. I hope the press will not repeat such a mistake".

It was a fair Ruling. It took note of a Member's distress, but equally it took cognisance of the possibility that a reporter looking down from the height of the Press Gallery could have genuinely made an error. A point was raised and satisfactorily resolved.

Some of Ganesh's other Rulings were on more substantial matters. Thus, on 24 March 1938, the Leader of the Opposition, Sir A.M.K. Dehlavi rose to describe the previous practice of taking up heads of demands for grants and said that it had not been followed by the incumbent Speaker. Ganesh replied:

> It is true that the practice described by the Hon'ble Leader of the Opposition was followed by my predecessor in this House, if I may say so. But last year, at the Pune session I suggested that it would be better to follow a different practice by which leaders of the various groups and the Leader of the House, by common consent, decide what particular items they would like to take up for discussion.
>
> Under the old practice, it was just possible that as the

> subjects were taken up in the order in which they were shown in the budget, Members could not reach the most important subjects upon which they would have liked to discuss on the floor of the House. It was possible also under the old practice that a subject which was of no importance for a particular year came up for discussion and that a subject which was important and required to be discussed, did not come up at all. Under the practice as advised, it brought before the House all such subjects on which different groups and the Leader of the House wanted to have the attention of the House focussed. This is how practice was started at Pune Session and it was followed here also. I will just illustrate the order in which motions for demands for grants are taken up for discussion. They are not taken in the serial order in which they are shown".

Ganesh then mentioned the order in which demands would be taken up according to the priorities. His Ruling was appreciated.

On 28 March 1938 when the Honourable Minister for Public Works made a Supplementary Demand for Rs 70 under the head: "50, Civil Works" the Chair observed:

> In this connection, the demand of Rs 70 which is asked as a token demand, I wish to invite the attention of the House and all Hon'ble Members, to a small point which is one of technical proceedure and not of substance.
>
> Demand is at Page 23, Item 26 under "50 Civil Works", Original Appropriation Charges Rs 7,78,000, Original Grant Rs 1,42,32,000, Supplementary Appropriation Charge Rs 88,485 and Supplementary demand voted Rs. 70.
>
> Thus the demand is put in as a token demand in order to have approval of the House to the expenditure incurred. With reference to this demand, I have to make certain remarks inviting the attention of the Hon'ble Minister, to

> the desirability of making a demand for the entire amout instead of this token amount of Rs 70, for discussion.

Having made that observation, the Chair then ruled as follows:

> I am inclined to think that the procedure of making a demand for a token grant is decidedly a better one, but on an interpretation of Section 81, it appears to me that any demand in respect of any additional amount sought to be expended, cannot come as a token grant. That is the difficulty I have been feeling. Therefore, any demand under Section 81 must be for the full amount and not by way of token demand.

After leaving the question open to be considered in greater detail Ganesh ruled that, so far as the situation then prevailing was concerned, the demand should be made for the full amount of Rs 2,70,489 for the under 7 items in question and not only for Rs 70 as a token demand.

Ganesh did not always have things easy. When the consideration of Bombay local Boards Act (Amendment) Bill was going on, the same amendment was tabled by two different Hon'ble Members, but with different objectives in view. Mr Phadake had tabled his amendment from the point of view of abolition of separate electorates for the minority community, while Mr Chundrigar had tabled it with the object of doing away with the option which the Bill proposed to give to the minority community, keeping intact separate electorates.

According to the procedure followed by the House, when the same amendment is tabled by different Hon'ble members, only one Member is allowed to move it. In this particular case, Phadake's amendment happened to be taken up for discussion and therefore the Hon'ble Mr Chundrigar was not able to move his amendment. Mr Phadake's amendment was lost on a division. Thereupon, the Leader of the Opposition A.M.K. Dehlavi informed the Chair that as, presumably, Government intended to proceed with the Bill even after that stage and as

Government showed lack of statesmanship in not accepting Chundrigar's amendment, the Muslim League party felt that they were justified in leaving the House and stage a "Walk-Out" until the Bill was finalised. The Speaker was quick to answer to the point raised.

> I think (he said) it is not for me to regulate or advise as to the course which the members of the House should follow, if one party does not accept or does not like to accept what the other side wants. The only thing that I would point out would be that, in view of the proposed 'Walk-Out' it would be proper for the group led by the Leader of the Opposition to offer the Prime Minister a chance of saying something in reply to what has fallen from Hon'ble Member and then follow whatever course they may have decided upon. As it has been declared in the House that it is "lack of statesmanship" on the part of the Government, it is but fair that the Prime Minister's point of view may be heard, whether it should be accepted or not is a different point, but he must have an opportunity for making any statement that he wants to make and that should have been made in the presence of the party which made allegation".

But the members of the Opposition, the Muslim League, were in no mood to listen and walked out anyway. The Hon'ble Prime Minister then made a statement on certain points of information in view of the situation precipitated by the Opposition walk-out. As the Prime Minister was making his statement, an Hon'ble Member enquired, on a Point of Order, under which rule the discussion was allowed. The Chair observed:

> It is not a discussion but statements of fact in view of the great incident which happened just now, in view of the statement made by the Leader of the Opposition Muslim League Party, it was essential and proper that I should give an opportunity to government to explain their point of views. I only allowed statements on points of information and I do not propose to allow any discussion".

Then there was the occasion when Ganesh had to give a ruling on whether the word "ashamed" was parliamentary.

During the course of debate on the motion regarding Constituent Assembly, an Hon'ble Member used the word "ashamed" in regard to another Hon'ble Member. Quick came a Point of Order. Was the word not unparliamentary? Observed the chair:

> I have had an occasion in this House to say something about the use of words. I have already stated that it is better if strong language is not used and that if one's views are expressed with moderation, though emphatically, it will be better to maintain dignity of the House. It is difficult to come to the conclusion whether a particular word is parliamentary or unparliamentary. It is not always possible to go by precedents. Words change their meaning; very often word spoken in a particular tone or with a particular gesture carry a meaning different from what they would carry in cold print, in reports. Therefore, I am not going to rely solely on precedents for a ruling whether a particular word is parliamentary or unparliamentary. I hope the Hon'ble Members will use such language as will maintain mutual respect and that an occasion for a ruling of that type will never arise. This is my appeal to all Hon'ble Members.

The Chair then asked the Hon'ble Member to withdraw the word which was done. Then there was the occasion when I. I. Chundrigar and Faiz Mohammad Khan gave notice of an adjournment motion to discuss an order issued by the Administrative Officer of Ahmedabad District School Board that called for the singing of Vande Mataram every day before classes started. Ganesh declined to give his consent to the proposed motion saying:

> I considered the matter very anxiously and carefully and found myself unable to give my consent. As the matter is important and involves principles guiding the moving of

> adjournment motions in the House in relation to the subjects which are the primary concern of, and within the cognisance of Local Bodies, I deemed it proper to accede to the request of the Hon'ble Members to state my grounds for which I felt unable to consent to the proposed motion...

After looking up Parliamentary Procedure and precedents as also precedents in the Central Assembly, the Speaker ruled as follows:

> In order that a motion for adjournment of the business of the Assembly to discuss a matter may be permitted, it is not enough that the matter to be discussed should be definite, urgent and of public importance. Even if all these three elements are present, the Speaker may, nay, must disallow the motion in certain cases, and the present one is such a case.

The principle governing the admissibility of such a motion dealing with the subject matter of some action taken by another administration was indeed laid down in the following terms by the late V.J.Patel, after a careful study of Parliamentary Procedure and precedents: So Ganesh said:

> Generally speaking, motion for adjournment under Standing Order II (which is essentially the same as the Standing Order) must have relation directly or indirectly to the conduct or default on the part of the Government and must be in the nature of criticism of the action of Government.

In order to make the point even clearer, Ganesh cited a ruling by the Speaker of the British House of Commons that said:

> Motions for adjournment must have some relation to the conduct or default of Government and must be in the nature of criticism of the Government either for having done some action or for having failed to do some action which was urgently necessary at the moment.

Ganesh held that as the State Government had no responsibility in the matter under consideration, there was no reason to give his consent to the adjournment motion. It was not always that Ganesh had to give his weighed opinion on matters of import. There were occasions of modest levity but then the first Bombay Legislative Assembly had notable men who were not only excellent debators but who knew the limits of give and take. Presiding over such an Assembly not only was a privilege but often was a pleasure as well. And Ganesh enjoyed himself as much as the situation would allow, and the need to maintain dignity and decorum would permit. Ganesh commanded the respect of the Hon'ble Members at all times.

The months rolled on. The year 1937 went on to 1938, and then to 1939. Nobody quite then guessed it but the years 1937-1947 were to prove the dangerous Decade with the rise of the Muslim League and the consolidation by M.A.Jinnah of his power. Pakistan was emerging from its closet, but as yet no one was taking it seriously. In Europe, war clouds were gathering.

The Italian dictator Benito Mussolini had attacked Abyssinia and driven the Emperor out. In Germany Fueheser Adolf Hitler had been steadily on the rise and had become a menace and was talking like one. In Britain, a weak Tory government was in power unwilling and unable to take the Germans on.

Then, one by one, events took place that made war in Europe inevitable. Hitler annexed Sudetenland. Austria was next swallowed up. British Prime Minister Sir Neville Chamberlain flew to Germany to try to dampen Hitler's unquenchable thirst for more and more power, more and more territory. Following his talks with Hitler at Bad Godesberg, Chamberlain thought he had bought peace. Flying back to London, he waved a piece of paper as he came down the plane ramp, saying "Peace in our time"! That was to prove a false hope. Hitler marched into Poland on 1 September 1939. Britain found itself with no other alternative but to declare war on Germany.

The very next day, the Viceroy of India, without so much as

consulting the national leaders of India, followed suit, committing India to fight the war in which the Indian people had no interest. It infuriated the Indian leaders. It was not that there was any sympathy for the Nazis. But it was one thing for India to voluntarily agree to fight alongside the British and quite another to be forced to. There was an awareness that the hour has struck for India to make a deal with Britain. Would Britain agree to India becoming free at the end of hostilities? Would Britain give definite promises? Gandhi was aware of how he was taken for a ride during the First World War. Then he had volunteered to help raise an army; he had been a faithful subject of His Majesty. But for all the troubles he took all that India received was the Rowlatt Act. This time Gandhi was not going to be fooled by mere promises. He wanted something concrete.

But no promise was forthcoming from the British Government. A major problem arose. If the Government of India had committed the country to fight and if the Congress was unwilling to do so except on its own conditions, what was to be the fate of the various Congress-run provincial governments? How could they continue to be in power without inviting trouble from the Governors of their respeetive states? The issue was hotly debated in Congress circles in which Ganesh frequently joined. There was no way in which he could have opted to stay out even if he wished to. The stakes were high.

When the final decision to resign was taken, it was a relief to many. The uncertainity was at last over. But first a resolution had to be passed in the Assembly, presenting the views of that august body. On 25 October 1939 when the Assembly met, Prime Minister Kher stood up to move the resolution. Ganesh, as usual, was in the chair.

The resolution, as moved by Kher, said:

> This Assembly regrets that the British Government have made India a participant in the war between Great Britain and Germany without the consent of the people of India

and have further, in complete disregard of Indian opinion, passed laws and adopted measures curtailing the powers and activities of the provincial governments.

This Assembly recommends to the Government to convey to the Government of India and through them to the British Government that in consonance with the avowed aims of the present war, it is essential, in order to secure the cooperation of the Indian people, that the principles of democracy be applied to India and her policy be guided by her people and that India should be regarded as an independent nation entitled to frame her own Constitution and further that suitable action should be taken insofar as it is possible in the immediate present to give effect to that principle in regard to present governance of India, including arrangements whereby all war measures in this province may be undertaken with the consent of and executed through the provincial government.

This Assembly regrets that the situation in India has not been rightly understood by His Majesty's Government when authorising the statement that has been made on their behalf in regard of India".

Even before Mr. Kher and finished moving his Resolution, Dr. Bhimrao Ambedkar was on his feet on a point of order. Dr. Ambedkar held that the resolution was not only not "definite" but was "certainly most ambiguous".

Noisy interventions followed. Mr Jhabvala rose to propose a very strong amendment condemning the British Government. He was quickly followed by Mr S. K. Patil who begged to move an addition to the Resolution that said: "And in view of the failure of the British Government to meet Indian demands, this Assembly while recording its fullest confidence in the Ministry calls upon it to tender its resignation".

Mr Jamnadas Mehta pointed out that "when you express the fullest confidence, you do not ask them to resign, you ask them to stick". The Speaker was moved to say that "that is a point of

merit". Whereupon Jamnadas Mehta moved an amendment to Patil's amendment and in a show of one-upmanship, Mr G.K. Phadke moved an amendment to Mr. Mehta's amendment, when the Assembly was adjourned for the day.

On 26 October, the Assembly met again in a charged atmosphere. Ganesh was again in the chair. Prime Minister Kher made an impassioned speech in support of his resolution. He appealed to all members of the Opposition to look at his resolution "in a much more generous and liberal spirit than their amendments display". He said: "We will stand as one in the face of a common enemy. All Britishmen of all parties forgot and sank their differences and passed measures which in ordinary course would have taken days and days, in a few minutes. There was no party. There was only the country. I am looking forward to the day when we can say as much about India and that when the question of the political future of our country arises, we all stand together as one man". But there was argument over the wording of the Resolution as presented by the Prime Minister. In talking about the future of India Dr Ambedkar, in particular, wanted mention of safeguards for the Scheduled and Backward Classes and his suggestions were finally incorporated. Other amendments were withdrawn and a final resolution, very much on the original lines proposed by Mr Kher but with modifications to appease Dr Ambedkar was passed. After which, the next session of the Assembly was in the nature of an anti-climax.

2

The last day of the Assembly was Tuesday, 31 October 1939. The meeting started at 11.30 a.m. with Ganesh in the chair. As if nothing world-shaking had occurred, Mr Kher explained why he had placed four Bills on the Agenda for the day. The four Bills were: the Shop Assistants Bill, The Harijan bill, The Town Duty Bill and the last one was the Local Boards Bill.

Mr Kher said that these Bills had been put together because he understood that there was a very large section of the House

who wished all of them to be passed before his government resigned. "Otherwise" he said, "we have no object in rushing these Bills through the House at all".

As he sat down, Mr R. R. Bhole of the Independent Labour Party, said that in regard to the Harijan Bill, he will have to oppose its provisions.

Speaker: If there is any appreciable opposition as the Hon'ble Prime Minister has said, the Bill may be dropped.

Another member of the Independent Labour Party, Mr B. K. Gaikwad said that their grievance was that the Bill would be of no use to the Scheduled Castes.

Mr Kher replied: "The whole point is that I do not want it to be alleged that while we were going away, we put in the Statute Book any measure about which there was such bitter controversy and debate. That is the position... The Hon'ble Members of the Independent Labour Party say frankly that they are opposed to the Harijan Bill. I will drop it. But the position in their case is like this: They do not want us to drop it nor do they want to say that they support it. I can see this is writ large on their faces. They know the Bill is going to do some good, but not as much as they wish it to do. If I may use Marathi expression, their position is somewhat like this: dharte tar chavti ani sodle tar pal se". You cannot have it that way. I have put my cards on the table very frankly.

Speaker: As regards the Harijan Bill, Hon'ble Members may consider the position explained by the Hon'ble Prime Minister and when the Bill is called, they may say whether they are prepared to allow the Bill to be taken up or not. We will now proceed with the other work of the House.

Then demands for excess grants for 1937-38 were taken up for consideration. Finally came the Harijan (Removal of Disabilities) Bill.

Mr R R Bhole: In connection with the Harijan Bill, we would oppose it as it stands at present.

Mr K. M. Munshi: As a matter of fact, this Bill was intended to confer certain rights on the Harijans for which the Independent Labour Party was clamouring for long. As they themselves oppose it, we do not want to take advantage of the fact that we have taken it out of its turn. If they oppose, things will remain the same. We are sorry that they oppose it.

Mr R. R. Gaikwad intervened. He said: "On behalf of my party I say they we have not been clamouring for a measure of this type. If we go through this Bill we will find that no provision is made in the Bill to remove the real disabilities of the Scheduled Castes.

At this point, Prime Minister Kher thought he would call it a day. Quietly, and with no sense of drama or excitement, but rather in the manner of a tired man, he announced: "The business for the day is finished".

The business of the day was indeed finished. The Assembly which had come into existence under so much excitement and was looking forward to the future with such hope came to its pre-destined end, not with a bang, but with a whimper.

Now Ganesh spoke. "Before we adjourn" he said, in quiet measured tones, "I take this opportunity of thanking all the sections of the House and every Member of the House for the cooperation and goodwill that all the Members and the various sections have been consistent in showing to me during the last two years, three months and some days".

Mr R. R. Gaikwad could not help asking: "Are you resigning?".

Ganesh said: "Order, order. I do not think there is anything more, I would like to announce now. I am adjourning the House to a future day and hour which I will duly notify hereafter to Hon'ble Members."

That was a bold statement to make considering that nobody could say what the future held for Britain, for the war, and for India, let alone the Congress Party. After the gavel was banged

for the last time, the Bombay Legislative Assembly adjourned *sine die.*

The report of the Proceedings of the Bombay Legislative Assembly for that day has a footnote. It says:

The session was subsequently prorogued by Government Notification, Legal Department, No 11466 dated the 3rd November 1939.

Ganesh's first career as a Speaker had come to an end. He went back to his residence to pack his bags and return home to Ahmedabad. Another era was soon to begin.

The fact that the Assembly was prorogued did not mean that Ganesh had ceased to be Speaker. It is true that under the Section 93 regime, on the resignation of the Ministry of November 1939, the Speaker had practically no function to discharge with reference to the legislature, but the office and position of the Speaker as such continued. As he had no work, so there was no need for Ganesh, as Speaker, to attend to the Speaker's office which remained unoccupied. By the time independence came, Ganesh had been catapulated to Delhi. The intervening eight years were full of toil and turmoil. Ganesh himself, of course, was not directly involved in policy-making close though he was to both Mahatma Gandhi and Sardar Patel. Relieved of specific Assembly work, Ganesh devoted himself to the field of education which, after municipal work was his second love. But he was not to get too much free time. The politics of the period was to engulf him as it engulfed so many of his Congress contemporaries.

The Congress Ministries had resigned. On 1 November, 1939 Gandhi, Rajendra Prasad and M.A. Jinnah had a joint interview with the Viceroy to discuss the British government's proposal to expand the Governor-General's Executive Council. Gandhi-and the Congress leaders were pretty clear in their minds as to what they wanted. They declined to consider any steps for further cooperation, unless the policy of the British government was made clear in a declaration on the lines

suggested by them. Further, they protested against the communal question being dragged in. The talks of the leaders with the Viceroy were inevitably inconclusive.

In mid-November 1939, the AICC met in Allahabad to discuss the situation. How should the Congress face it? The Congress wanted a Constituent Assembly but the British had other ideas. They kept talking of the role of Princes and the minorities with the sole and obvious purpose of keeping the Congress at bay. The AICC made it clear that neither the claims of the Princes, nor those of the minorities were real obstacles to national independence. In a resolution, the AICC put the Constituent Assembly in the forefront of the Congress programme as the only democratic method of determining the constitution of a free country and the only "adequate instrument for solving the communal and other difficulties". But the Congress was not looking for a quarrel for the sake of a quarrel. It kept its doors open to negotiations with the Viceroy. At the same time it was also readying itself for battle. The Working Committee expressed gratification at the readiness exhibited by Congressmen for the launching of civil disobedience, should that become necessary. But Gandhi, more than anyone else, knew that civil disobedience required perfect discipline. He could speak with experience of having led civil disobedience movements in the past. The true test of preparedness, as he saw it, lay in Congressmen carrying out his constructive programme. Gandhi gave support to the Congress demand for a Constituent Assembly in an article in the *Harijan*. He wrote: "Nehru has compelled me to study, among other things, the implications of a Constituent Assembly. When he first introduced it in Congress resolutions, I reconciled myself to it because of his superior knowledge of the technique of democracy. But I was not free from scepticism. Hard facts have, however, made me a convert and, for that reason perhaps, more enthusiastic than Jawaharlal himself..... The Constistuent Assembly provides the easiest method of arriving at a just solution of the communal problem".

At the end of December 1939, the Congress Working

Committee met at Wardha this time and reiterated its stand taken at its previous meeting. Came 1940. Politics in India was now hotting up. The Working Committee met in Patna on 28 February and recommended only one resolution for the forthcoming annual session, demanding complete independence and carrying out the constructive programme as a preparation for civil disobedience.

The Ramgarh session of the Congress met on 19 March 1940 under the presidentship of Maulana Abul Kalam Azad who had defeated M.N. Roy, then still a member of Congress, by 1,864 votes to 183. The Muslim League was to meet in Lahore in April.

Germany invaded Norway and Denmark. On 17 June 1940 France sued for peace. Britain which had sent a force to Dunkirk could bring back its forces with great difficulties and there was serious talk of Germany invading Britain. This situation in Europe was being closely watched by Congress leaders. They had to bone their demands to the plight of Britain.

Should the Congress launch mass civil disobedience or shoudn't it? What was the place of non-violence in the context of national defence? On 21 June the Working Committee announced that they were not able to extend the creed of non-violence to national defence. As Hitler's panzer divisions kept rolling across Europe, the Working Committee felt that "the problems which were distant are now near at hand". And yet, Congress was distancing itself from India's war efforts.

There was tension between the Mahatma and the Working Committee. The Working Committee did not entirely go along with the Mahatma and felt that "the problem of the achievement of national freedom has now to be considered along with the one of its maintenance and the defence of the country against possible external and internal disorder". The Wardha decision left the Working Committee free to take political decisions without having to think of their implications in terms

of violence and non-violence. The Working Committee were unable to go to the full length with Gandhi but they recognised that "he should be free to pursue his great ideal in his own way..."

In the second half of 1940 the Working Committee was almost continously in session for the important question of how to handle the war effort had to be clarified. But till then, the directive was that no Congressman should contribute to the war funds or enlist in Civic Guards under official control. The Viceroy sent for Gandhi and had a long interview with him on 20 June 1939. Later he wrote: "The Viceroy is again conferring with leaders of parties. I was invited but not as a party leader or a leader at all. I was invited as a friend to help him. The offer of enlarging the Viceroy's Council is on the tapis. The Congress cannot countenance this, so long as it swears by independence and non-violence. The Congress has to make its choice. The temptation is irresistable. Congressmen can again become cabinet Ministers. They can also become Ministers or members at the Centre...."

The Working Committee held an emergency meeting in Delhi on 3 July but renewed its demand for an immediate and unequivocal declaration of full independence and added a new proposal. It said: "As an immediate step to giving effect to it, a provisional National Government should be constituted at the Centre, which although formed as a transitory measure should be such as to command the confidence of all the elements in the Central Legislature and secure the closest cooperation of the responsible governments in the provinces..."

Rajagopalachari was the framer of the Resolution. Such were his persuasive powers that Sardar Patel agreed to it. Khan Abdul Ghffar Khan resigned from the Working Committee because he fully believed in nonviolence. Rajagopalachari said that it implied full participation of the Congress in the war, if the terms of the Resolution were granted. Nehru clarified the Resolution a little further. He said: We have made it clear in the past that we cannot help the war effort of British imperialism or

become its recruiting seargents. That position continues unchanged, but to maintain our own independence, for our defence and the defence of freedom, we are prepared under our own direction to do our best".

All over the country, wherever there were Congressmen, the argument went on. Gandhiji and the Working Committee went their different ways. The AICC met in Poona at the end of July and ratified the Working Committee's resolution by 95 votes to 47. Gandhi was absent on the occasion. Rajendra Prasad, Acharya J.B. Kripalani, Dr. Ghosh and Shankar Rao Deo remained neutral.

On 8 August 1940 the Viceroy gave his reply to the Congress resolution. It was imperious. A new constitution, he said, was to be the primary responsibility of the Indians themselves, but British obligations must be fulfilled and minority opinion must not be over ridden. Importantly, said the Viceroy, speaking, of course, for the British Government, a representative Indian Constitution-marking body would only be set up after the war. Meanwhile, the Executive Council would be enlarged and an Advisory War Council would be established.

The Congress reacted to this strongly, as was only to be expected. Maulana Azad refused as Congress president, to see the Viceroy who sent for him. Rajagopalachari was visibly angry. Nehru said that the concept of Dominion Status was dead as a doornail. The Working Committee met at Wardha on 18 August 1940 and placed on record that "the rejection of the Congress proposals is proof of the British Government's determination to continue to hold India by the sword". It was decided to hold an AICC meeting in Bombay on 15 September. Now the Working Committee was getting closer to Gandhi. Gandhi, it seemed, knew his Britishers better than the members of the Working Committee. Now, as Azad told the AICC, it was a case of "Back to Ramgarh. At this AICC session Gandhi drafted the main resolution whch was moved by Nehru and seconded by Sardar Patel. "At this grave crisis in the movement for our national freedom, the AICC requests (Mahatma

Gandhi) to guide the Congress in the action that should be taken".

Gandhi addressed the meeting, stating that the responsibility placed on him was the greatest he had ever assumed in his life. He said: "The language of this resolution is in the main issue mine. It applied to Nehru. I used to be the Congress draftsman. Now he has taken my place... The result is this: if we can get a declaration from the British government that the Congress can carry on anti-government propaganda and preach non-cooperation with the government in their war effort, we will not have civil disobedience. We do not want England to be defeated or humiliated..."

What was Gandhi's plan of action? The Working Committee met in Wardha to hear Gandhi unfold his plan. Said Gandhi: "The plan is simply this: Direct Action will be commenced by Vinoba Bhave and for the time being confined to him only... But much will depend upon what the government will do".

This was the famous Individual Satyagraha Movement which started with Vinobha delivering an anti-war speech. He moved from village to village for three days beginning 17 October. On the fourth day, on 21 October, he was arrested and sentenced to three months' imprisonment.

Nehru was to follow him on 7 November, but he was arrested on 31 October, at Cheoki railway station when he was returning to Wardha after seeing Gandhi. In mid-November 1940 began the second stage of the campaign. Gandhi called it Representative Satyagraha and volunteers were chosen from groups such as the Working Committee, the AICC and Congress members of the Central and provincial legislatures. Sardar patel was arrested on 17 November. The police called on Ganesh at his residence on 26 November a week later. Yet one more incarceration was waiting for him.

On this occasion, Ganesh received a year's sentence under the Defence of India Rules. He knew it was coming, of course and had been waiting for it. He was to emerge from jail only on 18 November 1941.

The third stage of the campaign opened on 5 January 1941. By then Congressmen all over the country were preparing to do their duty and volunteers were not found wanting. Provincial Congress Committees had prepared long lists of men and women who were ready to court imprisonment and when the fourth stage of the campaign started in right earnest, the jail-going was in full swing. By mid-summer over 20,000 were convicted and even more, no doubt, would have gone to jail had it not been for the restrictions imposed on the campaign by the Mahatma.

The situation was getting to be grimmer by the day. Germany had invaded the Soviet Union in June 1941. In July the Viceroy announced the formation of the National Defence Council and expanded his Executive Council whose members were not to be Ministers but only advisers. By the late autumn of 1941 Germany was moving steadily into the Soviet Union and there were strong rumours that a German drive through West Asia was in the offing. Japan had attacked Pearl Harbour and was consolidating its position in the Far East and was threatening Burma and Malaysia. Those were dark days for Britain, but she was still holding out in India, hoping to force Congress to its knees.

But as the situation worsened, it was becoming increasingly clear to London that some thing had to be done to secure the full cooperation of Indians with their vast resources that had become an urgent military necessity.

On 3 December 1941, therefore, Britain issued a communique saying that the Civil Disobedience prisoners whose offence had been formal or symbolic in character would be set free, including Nehru and Maulana Azad. But Gandhi was not going to fall to Britain's bait. On 4 December began the large-scale release of political prisoners. Ganesh had been released earlier, but now hundreds came to be released. On 23 December 1941 the Working Committee met at Bardoli and reviewed the situation. It stuck to the view that the AICC resolution passed in Bombay on 16 November 1940 still held and it expressed its

appreciation of Gandhi's leadership and the response of the nation to it. But there now devoloped a hitch. He stood for complete non-participation in the war *in all circumstances.* Writing to Congress President Maulana Azad he said that he had misinterpreted the Bombay resolution and led the satyagraha movement by mistake. This was a shock to the Working Committee which had no other alternative but to relieve him of his responsibility, but assuring him that the Congress would not depart from the policy of nonviolence laid down by him.

1941 came and went and now came the Crucial year 1942. In mid-January the AICC met at Wardha and made the position of Gandhi clear. The Mahatma was opposed to the country's participation in the war on the ground of non-violence, but the Working Committee, said Azad, was opposed on political grounds.

Gandhi addressing the meeting said that it would be unwise to change the policy of the Working Committee. At one time he thought he would divide the AICC, but then realised that would be a mistake, amounting to violence and he wouldn't be guilty of it. Sometimes, he said, a step backward was a prelude to a step forward. And then he made a statement which has become famous and defined his relationship with Nehru. "He (Nehru) says that he does not understand my language and that he speaks a language foreign to me. This may or may not be true. But language is no bar to a union of hearts. And I know this, that when I am gone, he will speak my language". He told the members of the AICC: "Do not go away with the idea that there is a rift in the Congress. The Working Committee has worked like members of a happy family. Somebody said that Jawaharlal Nehru and I were estranged. It will require much more than differences of opinion to estrange us. We have had differences from the moment we became co-workers and yet I have said for some years and say now, that not Rajaji, but Jawaharlal, will be my successor!" In the international field there were setbacks for the Allies. German armies were surging towards Moscow. Singapore fell, then Rangoon and the

Japanese were aiming at India. Britain had held desperately to the hope that somehow the Indians would look at things its way, but Gandhi was adamant. On 11 March 1942 Winston Churchill announced as Britain's Prime Minister that his War Cabinet had agreed on a plan for India and that Sir Stafford Cripps would go to India to meet Indian leaders. Cripps came to India on 22 March 1942 and opened discussions with national leaders. These discussions which opened on 25 March and went on till 10 April failed. There was just no meeting of minds. Cripps continued to speak about "cessation of hostilities", prompting Gandhi to say that what was being offered was" a post-dated cheque". Some of the inducements offered for India's participation in the war effort were very attractive, but Congress suspected that they were being offered under stress. And sure enough, Cripps suddenly decided to break negotiations and return to England and it was only much later that it became known that Cripps left because Churchill, in the light of British victories, changed his mind. In any event, the Cripps Offer was withdrawn and the Congress was back to Square One. There was also danger in the Cripps Offer in that it envisaged a three-way split of India each with different ideas of governance. There was to be a Pakistan, though not exactly as Jinnah and his Muslim League envisaged it.

With the Cripps offer withdrawn, once again the Congress was faced with the task of hammering out new directions. On 6 July 1942 the Working Committee met at Wardha and Gandhi attended it. This time the Working Committee fully backed Gandhi. It passed a resolution that said that in making a proposal for the withdrawal of British rule from India, the Congress had no desire whatever to embarrass Great Britain or the Allied Powers or in any way to encourage aggression on India by the Japanese or by any other Axis Power. The Congress was agreeable to the stationing of the Allied Armed Forces in India in order to ward off and resist the Japanese and other aggressors. The proposal of withdrawal of the British power in India was never intended to mean the physical

withdrawal of all Britishers from India. Then the Resolution added:

> Should, however, this appeal fail, the Congress cannot view without the greatest apprehension the continuation of the present state of affairs, involving a progressive deterioration in the situation and the weakening of India's will and power to resist aggression. The Congress will then be reluctantly compelled to utilise all the non-violent strength it might have gathered since 1920. Such struggle would inevitably be under the leadership of Mahatma Gandhi. As the issues raised are of the most vital and far-reaching importance, to the people of India, as well as to the people of the United Nations, the Working Committee refer them to the All India Congress Committee for the final decision. For the purpose, the AICC will meet in Bombay on 7 August 1942.

Inevitably, the resolution came under strong attack from various quarters. Jinnah called it an attempt "to compell the British government to surrender to a Congress Raj". Hindu Mahasabha leaders called on their followers not to support Congress policy. The Communists doubted whether Congress policy would lead to freedom. The government of India girded its lions to meet the Congress challenge. A secret circular sent out to all government servants on how to meet that challenge came into the hands of Gandhi who promptly published it. The two sides had taken up positions from which they could not possibly retract.

The Working Committee met in Bombay in the first week of August 1942 to frame what came to be known as the Quit India Resolution. Almost 1,000 word long, it said, *inter alia:*

> The AICC would yet again, at this last moment, in the interests of world freedom, renew this appeal to Great Britain and the United Nations. But the Committee feels that it is no longer justified in holding the nation back from endeavouring to assert authoritarian government

which dominates over and prevents it from functioning in its own interest and in the interest of humanity. The Committee resolves, therefore, to sanction for the vindication of India's inalienable right to freedom and independence, the starting of a mass struggle on non-violent lines on the largest possible scale, so that the country might utilise all the non-violent strength it has gathered during the last twenty two years of peaceful struggle. Such a struggle must inevitably be under the leadership of Gandhiji and the Committee requests him to take the lead and guide the nation in the steps to be taken.

The Committee appeals to the people of India to face dangers and hardships that will fall to their lot with courage and endurance and to hold together under the leadership of Gandhiji and carry out his instructions as the disciplined soldiers of Indian freedom. They must remember that non-violence is the basis of the movement and time may come when it may not be possible to issue instructions or for instructions to reach people and when no Congress Committee can function. If this happens every man and woman who is participating in this movement must function for himself or herself within the four corners of the general instructions issued.

Lastly, whilst the AICC has stated its own views of the future governance of India, the AICC wants to make it quite clear to all concerned that by embarking on mass struggle, it has no intention of gaining power for the Congress. The power, when it comes, will belong to the whole people of India.

It was a historic resolution and the Bombay Session of the AICC which met on 7 and 8 August 1942 was also an equally historic one. The Resolution was passed in an atmosphere of great excitement. Gandhi addressed the meeting first. He was followed by Jawaharlal who moved the resolution. It was, as usual, seconded by Sardar Patel. After the Sardar, Maulana Azad spoke. Then Gandhi once again addressed the meeting,

speaking for two hours and pouring his heart out. Among other things he said:

> Here is a *mantra*, a short one, that I give you. You may imprint it on your hearts and let every breath of yours give expression to it. The *mantra* is Do or Die. We shall either free India or die in the attempt; we shall not live to see the perpetuation of our slavery... keep jailism out of your consideration. If the government keeps me free, I will spare you the trouble of filling the jails... Nothing, however, should be done secretly... This is an open rebellion. In this struggle, secrecy is a sin..."

The Government of India did not let him be free. On Sunday, 9 August 1942 it arrested him. On the same day it also arrested Ganesh at Ahmedabad. This time he was to serve a much longer period in jail. For he was released only on 10 March 1944, after a period of nearly eighteen months.

When he was arrested in November 1940 he was detained at the Sabarmati Central Prison, Ahmedabad and was later transferred to the Yerawada Central Prison, Pune. When he was arrested once again in 1942 he was detained throughout at the Sabarmati Central Prison, as a first class detenu. This time he missed the company of Sardar Patel. No man could have used his stay in prison to better purpose. Ganesh had always been a voracious reader. Marathi was his mother tongue; Gujarati he knew extremely well and could read and write in it. He was familiar with Hindi and English, of course, was practically his second language. And because he was conversant in all four languages, he also read deeply in all four languages. He was a discriminate buyer of books and whenever he went to Pune, he would stock himself with books in Marathi. He would say that it was necessary to buy good books, not only because that was an intellectual investment by itself but also because if people did not patronise good books, how could they ever get published?

During his long years as a lawyer he had also accumulated a large Law library, but in his years as a guest of His Majesty's

prisons, he read books on other subjects. But what distinguishes his sentence-serving in jail was the interest he took in those prisoners who were serving life sentences or had been condemned to death. During the time he spent in Sabarmati Jail following his participation in the Individual Satyagraha he had been rudely awakened to the fact that in another part of that same jail were lodged criminals scheduled to be hanged. He had woken up, one night, to the sound of a man loudly chanting the name of God. It seemed a weird thing to do. On enquiry he had learnt that the chanting came from a man who was to be hanged the next morning. How could a man be considered a criminal, wondered Ganesh, if, on the night prior to his hanging, he could think only of God? He had been deeply moved and the sound of chanting haunted him.

When next he found himself in jail, following the Quit India Movement, Ganesh decided to get the permission of the Jail Superintendent to talk to the condemned prisoners. The Superintendent could not but give permission. Apart from the fact that Ganesh was a distinguished citizen of Ahmedabad known for his high character and repute, he even then was Speaker of the Bombay Legislative Assembly and entitled to all the courtesies the authorities could extend to him. Thus it was then that Ganesh came to know many criminals intimately. He would call on them in their cells at prescribed hours and discuss at great length with them on matters of life and death. He would invite them to open up and talk about themselves and their lives. Freely he would give them both his time and his concern for their well-being. Sometimes he would talk to the men for over two hours. He would recite to them the Gita and explain to them the meaning of Krishna's message. And as he got to know these simple people, Ganesh was to come to the conclusion that often men would kill unintentionally, on the spur of the moment, "on impulse" as he would later say. He felt it was wrong that somebody should go to his death because of a wholly unpremeditated action.

There was the case of a 22-year old woman who was due to be

hanged on charges that she had killed her two children. The woman was staying with her husband and mother-in-law who was a terror. Never would the poor girl have any rest. She was expected to be up and doing not long after her first delivery. That was torture. She put up with it. The harrassment continued after the second child was born us well. When the harrassment became intolerable, the woman decided she would go to her brother's home in the neighbouring village and leave her husband behind. Unfortunately for her, she met her brother half-way on the road and when she told him of her problem, he wanted to know whether she had taken her husband's and her mother-in-law's permission for leaving them. When she said she hadn't and possibly couldn't, he bluntly told her that he wouldn't give shelter to her either. Desperate, the woman decided to commit suicide and take her little children along with her. She managed to get them and tying them to her sari pallu, she jumped into a well. That turned out to be a mistake. The sari came off and the children drowned but witnesses pulled her out. She was tried in court and found guilty of murder and sentenced to be hanged.

Ganesh heard her out and suggested she appeal. More, he told her to tell the court the turth, the whole truth and nothing but the truth and put herself before the mercy of law. She did exactly that. Fortunately, her husband testified in her behalf. And the death sentence was transmuted for 6 months RI. Ganesh had saved her from the gallows. Then there was the case of two wandering minstrels, sadhus, who used to get their food at a *annashetra* at Dariyapur, near Ahmedabad. One day they got into an argument, tempers rose and the younger of the two, in a fit of anger, killed the older one. He was tried and given a lifer.

Ganesh talked to him at length to convince him that it was better to tell the truth than cook up stories and alibis which never went down well with any judge. The *bawaji* would not agree. He hummed and hawed, refusing to be convinced by Ganesh's logic or advice. Ganesh had suggested that he go on

appeal and tell the court the exact circumstances under which the killing took place. He then left the *bawaji* to his own devices.

One day, Ganesh was subsequently to record, he was returning to his room in the jail when he heard some one calling him loudly from a distance. It was the *bawaji*, sounding considerable excited. He was holding up three fingers in a gesture of excitement. "What is it?" Ganesh asked, "has your term been reduced to three years?:. "No" shouted the *bawaji*, "not three years, but three months!". Ganesh laughed.

"I told you!" Ganesh murmured, "truth pays!".

Then there was a mill worker who got into a violent argument with a friend of his and in a moment of anger knifed him to death. At the time of the murder there was no one around and when the mill hand was caught on suspicion, he decided that he would deny any hand in the murder. It did not help. He, too got a lifer. Ganesh spent many hours with him, trying to persuade him that telling the truth was infinitely better than seeking alibis or denying the foul act. Finally the mill-hand was convinced. He confessed before the Court telling the circumstances under which he committed the murder and expressing regret and remorse for what he had done. He got four years RI, but he refused to go on appeal. He told Ganesh: "Sir, I thank you for what you have done to me. But I deserve to be punished. Four years is nothing for the crime I have committed. Now I am at peace!"

Then there was the case of a young farmer and his wife. The farmer was out in the field, ploughing the land and apparently the wife was somewhat late in bringing him his noonday meal. In his anger he hit her hard and she fell down bleeding. Frightened, the farmer sought to take her to the nearest doctor, but she died on the way. No one had seen him hit his wife and the farmer decided to lie his way out, but with no success. Ganesh spoke to him as he was awaiting his trial. Tell the truth and you may get a lighter sentence, was Ganesh's advice. It

needed a lot of persuasion on Ganesh's part but in the end he succeeded. The farmer confessed to killing his wife in a fit of anger. The Court accepted the plea and awarded him a sentence of 4 years RI. He escaped the gallows.

Things were not always so smooth and painless, or had a happy ending. Suspecting his wife of having an affair, one Mohammad Moosa had killed her, was fully tried and sentenced to death. In Sabarmati Jail he had been confined to the condemned prisoner's cell when he heard of Ganesh and how helpful he had been to many prisoners. He asked to see Ganesh who readily agreed to talk to Moosa. But Moosa proved difficult. Try as Ganesh could, Moosa just would not open up. There was no question of Ganesh trying to persuade Moosa to tell his side of the story without hiding anything. The pain had apparently been too great for the unhappy man even to confide in one who wanted to help him. There was no way Ganesh could save Moosa. But he talked to him at great length, of life and its meaning. Moosa was a religious man and Ganesh's quiet companionship helped him a great deal. A few days before his scheduled hanging, Moosa altogether stopped partaking of food. He told Ganesh that he was preparing to meet Allah and wanted to meet Him with a body unpolluted with food. Moosa had found peace. He told Ganesh" "I will never forget you. Kindly don't forget me either!. Ganesh was later to write: "He went to his death, a man at peace with himself. He had made his peace with God in time!". Ganesh saw to it that Moosa's body was released to his family who took it to Broach for burial.

Then there was Shivaram, a Maratha soldier who, after being demobilised, had been taken into the police force. He had been allotted guard duty in Anand. During his stay there Shivaram developed friendship with a woman vegetable vendor. Unfortunately for him, he discovered that the woman had many lovers and infuriated after a wordy duel with her he killed her. He was sentenced to death.

In Sabarmati, Shivaram came into contact with Ganesh as many others had before him. Ganesh advised him to go on

appeal, but the death sentence was upheld. All that Ganesh could do was to give Shivaram such comfort as he could. So devoted did Shivaram become to Ganesh that he would address him as Guru Maharaj. Indeed even as the time came for him to go to the gallows and he was asked whether he had any last request to make all that he could say was that his regard should be conveyed to his Guru Maharaj!

Guru to these poor wretches Ganesh indeed was. Day after day he would visit them in their cells, hear their tales of woe and provide such spiritual comfort as he could. One criminal asked Ganesh to read to him the Gita and went to the gallows chanting 'Om' to the very end. Another, equally at peace told Ganesh not to worry. The case of Moti Jhena is even more touching.

Moti was a poor farm worker who lived in his village, a pleasant soul who had no enemies in the world. But life was quickly to catch up with him. It so happened that the local Sethji was celebrating his daughter's wedding and there was a lot of fireworks at night. Unfortunately for Moti one of the fireballs fell on his thatched hut and in no time his dwelling was reduced to ashes. Moti and his family overnight found themselves without a roof over their heads.

Early next morning Moti went to the Sethji's house to ask for compensation. He was however, summarily turned out. It was humiliating. The injustice of it all hurt him even more than the humiliation. Moti decided to avenge himself and turned into a dacoit. Moti's exploits became the talk of the villages. Nemesis, however, soon caught up with Moti and he fell into a police trap and was arrested. When Ganesh was at Sabarmati, Moti had already served several years of a lifetime sentence. But Moti was no ordinary dacoit. He had been forced into crime to avenge a social injustice. His heart was not in it. And Ganesh quickly became aware of Moti's real character. Convinced that beneath Moti's rough exterior was a repentant heart, Ganesh spoke to the jailer who agreed that his prisoner had behaved in

an exemplary manner during years of incarceration. At Ganesh's suggestion, Moti was transferred to a jail in Baroda.

Having himself served his sentence Ganesh was released but whenever he would go to Baroda, he would call on Moti in his jail. Baroda was then still under princely rule and the Diwan of Baroda at that time was known to Ganesh who decided that he would write to him asking for mercy on behalf of Moti. Ganesh's recommendation was not one to be lightly brushed aside. Apart from anything else, Ganesh still was the Speaker of the Bombay Legislative Assembly and carried clout.

One day, unbeknownest to Ganesh, Moti was suddenly released and was told he was free to go wherever he wished. At the same time, Moti's family was informed of his release. But instead of waiting for his family members to come to receive him, Moti took whatever money he was given to return to his home to buy a ticket to Ahmedabad. Ganesh was working in his study when there was a knock on the door. When he opened it who should he find but Moti standing in the doorway, grinning from ear to ear?

No sooner did Moti see Ganesh than he prostrated himself before him, crying: "You are my father, you are my everything!". Ganesh lifted him and embraced him, both in tears.

"But Moti" remonstrated Ganesh, "why didn't you go straight to your family?" "Bapu" said Moti in between tears, "I know you were responsible for my release. I had to come to see you to thank you for what you have done for me!"

"But your family..." Ganesh started to say.

"What about my family? You are my family. Besides what do a few days matter when I have been in jail for 25 years?"

Ganesh could hardly smile through his tears at the loyalty and affection of a man who had spent the best part of his manhood in jail.

The two years that passed from the time he was released to

the time he was elected to the Central Legislature in January 1946 were years of hard work. Ganesh had given up legal practice as he had promised himself. He was financially speaking well-off and self-sufficient. He did not have consciously to strive to make a living. But importantly, new and emotionally stimulating work was awaiting him.

When Gandhi was incarcerated at the Aga Khan's Palace in Pune, his wife Kasturba had also been arrested, but she was not to live for long. On 22 February 1944, just about eighteen months after her imprisonment, Kasturba died to Gandhi's great sorrow. It was a blow from which he never really completely recovered.

Almost immediately afterward, several prominent persons in the country decided to set up a memorial to Kasturba and issued an appeal for a fund of Rs 75 lakhs-which at that time appeared very large indeed - to be presented to Gandhi on the occasion of his 75th birthday falling on 2 October 1944 and to be used for the education and welfare of women in India. By the end of 1945 the total collections amounted to Rs 1,26, 97 526 or a crore and a quarter, much in excess of the target figure.

Gandhi was released from detention on 6 May 1944 and was prevailed upon to accept the chairmanship of the Kasturba Trust and Shri Thankkar Bapa was appointed its secretary. At the meeting of the Trustees held on 1 July 1944 Gandhi explained how he thought the funds should be utilised. He said. "Kasturba was a simple woman devoted to village life, actually living and serving among villagers.

The object of the fund should there for properly be the welfare of village women and children.

Gandhi continued to be the chairman of the Trust till his death on 30 January 1948. Sir Purshottamdas Thakurdas was the first vice-chairman and continued in that position till Ganesh was elected to that office in July 1946.

After Gandhi's death, Sardar Vallabhbhai Patel became

chairman of the Trust. When the Sardar also died in December 1950, the Trustees elected Thakkar Bapa to the chairmanship. But within a week Thakkar Bapa expired and the chairmansip then fell to Ganesh in January 1951. Ms Sushila Pai was elected General Secretary. Ganesh continued to be chairman and toured the country extensively during his tenure as head of one of India's largest Trusts. It was during one of his visits to Andhra Pradesh that he had a heart attack that was to prove fatal.

Though in his later years Ganesh was to be chairman, secretary or member of some eighty five Trusts - something of a record and speaks a great deal about the respect and trust people reposed in him - he took his work in any capacity seriously. He would not absent himself from any meeting of the Trustees unless it was absolutely impossible physically to be present. He would account for every paise that was spent. Nothing escaped his attention. Like Gandhi he held himself to be accountable to everything and wastage was foreign to his nature. No wonder his services were always in demand. As a keen and dutiful follower of Gandhi, Ganesh saw to it that the Mahatma's wishes for the Kasturba Trust were implicitly followed, whether in his capacity as member, vice-chairman or chairman of the Trust. In accordance with the Mahatma's wishes, the Trustees restricted the scope of work of the Trust to welfare and education of women and children in rural areas only. As Ganesh said in his welcome speech as chairman of the Trust on the occasion of the visit of delegates to the All India Speakers' Conference held at Kasturbagram on 28 October 1953, the main object of the Trust was not merely to relieve village women from insanitation, disease, ignorance and poverty, but to develop in them the qualities of fearlessness, self-reliance and strength to enable them to take their rightful place in a free society".

He told the delegates that Gandhi had insisted from the very beginning that the Fund should be spent through the agency only of trained women workers. The Executive Committee of

the Trust had therefore decided that all workers at various centres should be in charge only of women workers. The first task of the Trust, in the circumstances, was to train a body of social workers who would settle down in villages and carry out the programme of the Trust among village women and children. The training consisted of (a) Gram Seva - specialising in Bal Wadi, Craft work, child welfare, cow protection and cooperative movement (b) basic training (c) Gram Udyog - weaving, paper-making, local crafts etc and (d) midwifery and nursing.

Said Ganesh: "When the Trust actually started to function, there was a paucity of trained women workers. That was why the first task before the Trust was to train workers and to start training centres for this purpose in every province. Gandhiji had great faith in the inherent qualities of Indian womanhood and so he fearlessly entrusted the full responsibility to women workers. Experience of the subsequent years simply justified the faith that he put in them and the work and the result was that in a few years' time there have been a number of centres and sevikas scattered all over India. To serve in an Indian village, and that too for a women worker, is a difficult task indeed. The conditions are very difficult to begin with. Ignorance, poverty, superstitions and above all the curse of caste-ism and untouchability surround the workers and test the best and bravest among them. It is to the credit of the Kasturba Trust workers that they have successfully crossed many a hurdle by their patience, courage, devotion to work and spirit of service. In many places they have been instrumental in removing untouchability, the evil of alcholism and purdah, granting medical relief, economic relief through spinning, imparting adult education, promoting sanitation and running 'Bal Wadis'. These have been some of the items of work by means of which they have served the villagers and won their hearts. The kind of work was by no means easy or simple. In the socially backward areas of the country, the sevikas have had to face extreme hardship, misunderstanding and even humiliation. But they were never defeated and stood their ground well".

Ganesh went into great detail about the work of the Kasturba Trust. He spelt out what had been attempted, what had been achieved and what still remained to be done. He had facts and figures at his finger tips. He did not attempt to hide failures where they existed. Everyone was aware of Ganesh's sincerity. Ganesh himself was a model of service. During the days he lived in his ancestral house in Bhadra, in Ahmedabad, friends have testified, he would go each morning to the Sabarmati river close by with a bundle of clothes and wash them himself and then take a bath in the river waters. Ganesh had taught himself how to sew and darn and would repair his torn clothes. He was not ashamed to wear old clothes. These facts were known and deeply appreciated by trainees who knew that what he preached, he assiduously practised. He told the delegates: "I requested you to come over here (Kasturbagram) at great personal inconvenience and see for yourself the type of work carried on here. The quantum of work will yet take some years to develop to its full growth as we have visualised or we are hoping for. But a look at our efforts will, I hope, give you some glimpse of the importance of the work in any scheme of nation-building. I shall be grateful if you interest yourselves in the work and make any suggestions for increasing its usefulness and give the work your support and help in your States at least. When I say this, I am not appealing for money, though that also is a substantial factor. From my point of view, your visit to this place can be said to be fruitful if you are appraised of the importance of this work and need for its expansion...."

Ganesh's heart was in municipal work and in education and perhaps it is right to say that they were his ruling passions. It was due to his enthusiasm that the Government of Bombay set up Gujarat University. He was chairman of the Gujarat University Committee which drafted a report that led to the founding of the University. But his educational activity pre-dated his striving for a university for Gujarat. He worked as professor of Law at the Gujarat Vidyapeeth started by Gandhi as part of the non-cooperation movement. Subsequently he was

connected with a number of educational institutions. He started the Ahmedabad Education Society along with many of his friends in 1935 and was its President from 1950 to 1956. He was President of the Gujarat Vernacular Society. later to be known as the Gujarat Vidya Sabha, a premier society started in 1948 and working for the advancement of Gujarati literature. He was working Chairman of the Gujarat University Association and there was hardly any aspect of education and literature with which he was not associated.

The Ahmedabad Education Society came into being neither accidentally, nor a day too soon. The compelling reason was a felt urgency to institute an educational organisation that would foster positive national aspirations in the younger generation. In the thirties there was only one college in Ahmedabad, the Gujarat College, which was run by the then Birtish administration. The college did not meet the aspirations of nationalist Gujarat which was then in the forefront of the freedom movement. Enlightened and patriotic-minded citizens of Ahmedabad felt that the time had come to set up educational institutions of their own, independent of the British government. Chief among then, as the Silver Jubilee volume of the Ahmedabad Education Society said, was Ganesh - G.V. Mavalankar. He had the able support of men like Sheth Kasturbhai Lalbhai, Sheth Amritlal Hargovindas, Balvantrai P. Thakore, Chandrakant C. Gandhi, B.K. Mazumdar and their efforts had the blessings and support of Sardar Vallabhai Patel and Anandshankar Dhruv. As a result, the Ahmedabad Education Society came into being on 15 May, 1935.

The idea was to promote higher learning devoted to the cause of national service. Enthusiasm for the Society's aim was great. Its founders literally roamed the streets of Ahmedabad to collect donations and within a few months some 300 members were enrolled. Popular support opened the way for larger donations from philanthropists and industrialists of Gujarat. A Governing Body for the Society was quickly formed and Bhaskarrao motilal Medha was appointed its first Chariman.

Ganesh, along with Balwantrai Thakore and Jivanlal Diwan were members of the Governing Body.

Once a proper Governing Body was appointed, money came in large amounts. Sheth Amritlal Hargovandas and his brother Tribhuvandas Hargovandas donated Rs 50,000 for starting a Commerce College and promised Rs 10,000 to take care of the deficit during the first year. Shortly afterwards, Sheth Kasturbhai Lalbhai and Sheth Narottam Lalbhai donated Rs 2 lakhs for starting an Arts College. The Society started the Lalbhai Dalpatbhai Arts College in June 1937.

By 1939 hostels and staff quarters had come up. But by then the second world war made further progress difficult if not impossible. There was a lull in the activities of the Society. The British government was more interested in organising war effort and in fuelling its fighting machine than in encouraging educational activities started by private parties. The war had to end before the Society could pick up the thread and expand its work. In June 1946 a Science section was added to the Arts College with a munificent donation of Rs 7 lakhs from Sheth Navinchandra Mafatlal and was named the Mafatlal Gagalbhai Institute of Science. Subsequently it was to be run as a separate Science College.

In June 1947 came the Lallubhai Motial College of Pharmacy, thanks to a princely donation of Rs 3 lakhs from Sheth Ramanlal Lallubhai, Sheth Narsinbhai Lallubhai and Sheth Ratanlal Lallubhai. At that time it was the only Pharmacy College in western India and drew students from all over the country.

Then, in collaboration with Shri Karmakshetra Education Foundation of Dr Vikram Sarabhai, the Society started the Physical Research Laboratory in 1948 for conducting research work in cosmic rays, atmospheric physics, electronics and theoretical physics. The laboratory was the first of its kind in India and had as its Director, Dr Ramanathan, a scientist of international repute.

In 1948 Sheth Kasturbhai Lalbhai and his brothers proposed to the Government of Bombay to start a college of Engineering and showed their willingness to contribute half its expenditure. As a result the Lalbhai Dalpatrai College of Engineering came into being and was located on the future University campus, land for which had been painstakingly acquired under the direction of Ganesh.

It was inevitable, when India became free on 15 August 1947 that what was once only a dream was translated into reality. The then Chief Minister of Bombay Province was Bal Gangadhar Kher, who also held the Education portfolio and was committed to upgrading education throughout the province. It was Kher who supported the idea of three regional universities, one in Dharwar, one in Pune and one in Ahmedabad. Under Kher's direction, a committee was formed under the chairmanship of Ganesh to report on the feasibility of a university in Gujarat.

At first Mr Justice M.C. Chagla had been named as the first chairman. On his expressing his inability to serve in that capacity, Ganesh was named to the post. Serving on the Committee were K.M. Munshi, Kakasaheb Kalelkar, Indumati Sheth, Dr B.B. Yodh, N.M. Shah, Dr M.D. Patel, J.A. Taraporevala, Dr K.G. Naik, Maganbhai Prabhundas Desai and B.K. Mazumdar who was Member-Secretary.

The idea of setting up a regional university was nothing new. As far back as 1920, the Sadler Commission had suggested a curtailment of the jurisdiction of the older universities (including Bombay University) and its opinion was endorsed by the Setalvad Committee in 1924. Soon After, an association was started under the Presidentship of Sir Chimanlal Setalvad to focus public opinion for establishing a University for Gujarat. As a result, the then Gaekwad of Baroda, Sir Sayaji Rao Gaekwad, appointed a Committee in 1926 to examine the question. The Commission consisted of eminent educationists, prominent among them being Dr Anandshankar Dhruv. The Commission recommended that (a) Gujarat must have a

University of its own, (b) It must substantially be a teaching and residential one (c) the new University must be of a different type and not a mere copy of existing universities and (d) with a view to help development of the Gujarati language and literature, the University should establish the 'Premanand Institute' and a special department for studies in Gujarati. Though the Government of Baroda did not give effect to these recommendations owing to various circumstances, it kept them in view and started and developed various educational institutions in Baroda. Further, in 1928, a provision was made in the Bombay University Act to accord representation in the Senate to the Vice Chancellors of the regional universities of the province, when they were established. Thus, while the idea of establishing a university in Gujarat was gaining ground, time passed by. The Mavalankar Committee had several sittings at the end of which it wrote its report making a series of recommendations. Among these are:

* As soon as the Gujarat University comes into existence, it must make arrangements to teach as many subjects as possible through Gujarati and or Rashtra Bhasha, so that, after a period of five years no subject in the Graduate Courses will be taught in English, except those permitted by the University for special reasons.

* The Rasthra Basha should be a compulsury subject for study all through the school and collegiate courses up to graduation, ; it should be left to the option of the Institution or the professors at the collegiate stage to have Gujarati or the Rashtra Bhasha as a medium of instruction and the Rashtra Bhasha should be the only medium of instruction at the post-graduate courses.

* As far as possible, scientific terminology used in the international World should be employed but where there is no international terminology, words from the Indian languages should be employed.

* The Central Government should set up immediately a Board comprising representatives of philologists, scientists and

language experts to work out a dictionary of scientific terminology for all modern Indian languages. The Board should be a permanent body and should work in consultation with the Provinces and the Universities. The work should be completed within a period of five years. The Central Government may be asked to allot a substantial sum for the purpose so that the work may start immediately.

* The Central Government should give a lead to the Provinces in getting text books in Federal languages prepared, which the provinces may be able to adopt in their own language.

* English should not be accorded any more importance, than a compulsory second language and the progress of Gujarati and the Rashtra Bhasha should be carefully fostered, so that the period of change-over is not too long.

* The form of the university has to be an affiliating one in the present circumstances.

* Residential and teaching nucleus should be added at Ahmedabad and other centres may be encouraged in that direction.

* The territorial jurisdiction of the University should include the present revenue districts of Ahmedabad, Kaira, Broach, Panchmahals and Surat with such Gujarati speaking states as are now merged with or form districts of the province and the states of Baroda, Saurashtra and Cutch.

* The treatment of almost every subject today starts from foreign thought and practice in relation to it and treats the Indian contribution to a mere appendage. It should really be the other way round, the Indian contribution being the starting point.

* The Gujarat University should loose no time in building up a School of Asian languages and literature.

* The Social service organisations such as the Harijan Sevak Sangh, the Bhil Seva Mandal, the Charkha Sangh, the Village Industries Organisation, Women's organisations and the

various Ashrams should be given the necessary facilities and should be asked to receive students.

* The seat of the University should be Ahmedabad.

* The Governor of the province will be the Chancellor of the University.

* The post of the Vice-Chancellor should be an honorary one. It is, however, possible that the Honorary Vice-Chancellor may need the help of a responsible Officer in the discharge of his duties. Provision is made for the appointment of a Rector.

The recommendations were those of a highly patriotic and nationalist-minded group of men led by Ganesh who himself had strong views on education and how it should be imparted Those were the days when there was a tremendous sense of Indian-ness. English was often being considered by the nationalists as a language that debilitated the Indian languages. It was therefore thought to be right and proper that a brand new university, when formed, should place English in the back-ground. The concept, by itself, was unobjectionable when it was first mooted, but it was to have some grave repercussions long after the Gujarat University came into being and con-tinued to function. But that was in the future.

As Ganesh and his distinguished colleagues saw the situation at the time the Report was drafted, they were fulfilling a patriotic duty to resuscitate Gujarati and make it a powerful language of communication. It was all very well to have graduates speaking and writing in English, but was it the purpose of an Indian University to breed brown sahibs? Should it not be the concern of such a university to foster the growth of local languages and the national language - Rashtra Bhasha - in all spheres of educational activity?

Thus, nationalist sentiments were running high when the report was drafted, but even then voices of dissent were heard. One member, Dr M.D. Patel, thought that the question of medium of instruction is best left to future University author-

ities. Another member, Mr N.M Shah felt that linguistic universities with the language of the region as the medium may follow but should never precede the creation of linguistic provinces. He said that "from the national point of view" he was opposed to the creation of linguistic universities "as they are sure to increase the fissiparous tendencies and promote linguistic exclusiveness thus undermining completely whatever national consciousness and unity the country has achieved during the last century. Mr. K.M. Munshi, no less a nationalist, bluntly said that he cannot agree with the general approach that a University for Gujarat should necessarily have Gujarati as the medium of instruction or that the introduction of such a medium is sole or principal reason for such a University being brought into existence. And he said, somewhat acerbically; "Nor can I agree with the view that English as a medium should be replaced immediately or that Gujarati should be an alternate medium in the University course". "And" he added, " I have no hesitation in coming to this conclusion in spite of my life-long devotion to Gujarati".

The tussle between the pro-Gujarati and pro-English proponents waxed strong in all Committee discussions with Ganesh majestically holding the balance as the chairman. Munshi, himself a major writer in the Gujarati language, and author of several well acclaimed books, was merciless in attacking the pro-Gujarati supporters. He said in his dissenting Note appended to the Committee's report:

A University in modern India, in order to justify its existence should specialise in higher education and some branch of research in the fields of thought, literature, culture or science, pure and applied, and become a centre where independent thought is cultivated and sense of national solidarity achieved. The present universities have secured these ends to some extent because of their having adopted as their medium English, a language rich in expression and scholarship which is used for interprovincial intercourse.....

The adoption of Gujarati as an optional medium in the University as suggested in the Report would adversely affect the academic level in the proposed university. Once such an option is permitted, the tendency would be to use it in substitution of Engish or the national language and to recruit professors speaking only Gujarati. Gujarati, however, is not an adequate medium for the purpose. It has no literature of scholarship in the essential branches of knowledge and consequently, the intellectual development of a student taking Gujarati throughout his course has been found by experience to be restricted compared to that of a student who takes English, Sanskrit, Mathematics or Science through English.

Munshi further argued that replacement of English by Gujarati in the proposed university by a provincial language, Gujarati in the present case, would make free exchange of thought and learning throughout the country difficult "at a time when it is most needed". Munshi said in consequence, the University would develop a parochial outlook. The choice of teachers would be confined largely within the provincial limits. Inter-provincial contacts which had grown rapidly, would tend to weaken. Graduates of one University would find it increasingly difficult to secure employment or enter all-India services or to compete for higher competitive examinations on an all-India basis. Therefore, said Munshi, he could not reconcile himself to the view taken in the Report. He thought that Hindi should be accepted as the principal medium in the proposed University and that for a period of five years English should be permitted as an optional medium. After the five-year period, Munshi felt, Hindi should become the principal medium of instruction with optional English in such subjects as having no essential literature available in Hindi. Hindi, he further argued, as a medium would not create any difficulty for a Gujarati student. Gandhi, inevitably, was brought into the picture. The Mahatma was suspicious of what he called" a mania for establishing new universities in the provinces". As Gandhi saw it, "the first step should be linguistic political

re-distribution of provinces". If that happened, he argued, "their separate administration will naturally lead to the establishment of universities where there are none".

Gandhi did not appear to be either for or against the "subtle" influence of the West on India. But he said: "Is it not wisdom, does not duty to the country dictate, that before we embark on new universities we should stop and fill our lungs with the ozone of our newly got freedom?"

Understandably, Ganesh sent a copy of his Committee's report to Gandhi for comment and also had a long talk with him. Subsequently he sent to the Mahatma a gist of what he believed was Gandhi's thinking as made clear in their conversation. Gandhi, as was his wont, promptly replied. In a letter to Mavalankar dated 26 December 1947, just five weeks before his assassination, Gandhi wrote:

Bhai Mavalankar,

> I have just finished hearing (at five in the early morning) your letter and the report of our conversation. you seem to have devoted a lot of labour in preparing the report. I feel you could have well spared yourself the labour. My ideas you have presented fairly well. I do not feel like adding to or altering it.
>
> I have learnt a new thing from you that the establishment of a linguistic university remains to be done only in the case of Gujarat. I must admit that this weakens my argument to an extent. All the same one may say, I am greedy or infatuated enough to desire that the last university to be established works for the purpose of India's culture which is the culture of her villages.
>
> I still believe that, if in desiring re-arrangement of linguistic provinces our people were prompted not by the love of their own province but by their love for the whole of India, the desire could easily be fulfilled within a few months. So, you and I have to wish that your fear proves

> groundless - that my dream comes true and that all of us do the best they can to that end...

Gandhi, in his last years, seems to have had trouble in deciding whether it was worthwhile having linguistic states. In his early years he had advocated them, but he surely must have realised how such states could divide Indian from fellow Indian on grounds of language. He wanted one India; that was his dream and he wanted to work for it. The reference to "linguistic university" in his letter to Ganesh referred not to the concept of a university - whatever its medium of instruction - within a linguistic territorial jurisdiction.

Ganesh, of course, had his own thoughts on what education should mean, but they were hazily delineated in three of his more important speeches, one delivered as early as October 1940 at the Bombay Provincial Secondary Teachers' Conference, another in 1953 to the seventeenth session of the All India Oriental Conference in Ahmedabad and the third, again in Ahmedabad, at the seventeenth session of the Indian History Congress in 1954.

He told the teachers that he was not, in any sense of the term, an educationist and cannot claim the authority of an expert. For all that he was not lacking in some sound ideas on what the object of education should be. That object, he claimed was "the drawing out the best in the Man". It was also expressed in the sanskrit saying: *Sa vidaya ya vimuktaye*. But it was one thing to state a thought or a belief but quite another to spell out how to translate it into practice. There was "an amount of divergence which is so great as to make one doubt whether the lines of thought are parallel and can never meet or whether they have or can have any agreed objective".

Ganesh said that "the problem is, therefore, to find out the eternal elements pervading the human mind at all ages and climes and to so shape, mould or train them as to give a solid foundation for the kind of structure to be built thereon, to suit the changing requirements of different times".

In a sense Ganesh was playing with words - or ideas. He would not, for example, define what he meant by "eternal elements" and invited his listeners to answer the question themselves. He was clear that education will "mainly consist of preparation of mind, to enable the child to adjust intelligently and actively to his environment" but then he also asked: "Can this be done by making the child merely receive a bundle of facts consisting of all and sundry and no doubt useful, if properly assimilated?" He went on: "It is impossible to give all facts or all knowledge that may serve life-long and it is much more impossible to get assimilated all that is given. It is comparatively easier and more economic to train the quality of reception, the capacity for selection and the method of assimilation".

Ganesh held that it was necessary for these purposes to allow the child as free a hand as possible and allow it to pick up all knowledge and information by itself so far as possible. Of course, he added, "it will not be sufficient to leave the child to itself in order to be able to draw it out. It will require help and guidance".

Ganesh argued that "modern educational thought is practically unanimous on the idea of educating children through some suitable form of productive work". He suggested that a purely academic education bereft of all activity or, in other words, of opportunities of training the senses through experimentation and discovery cannot but produce drags and parasites.

It is important to remember that those were the days when the so-called Warsha Scheme of education was much talked about and Ganesh was not immune to the Scheme's influence. With the authors of the Warsha Scheme, Ganesh agreed that by teaching the child to work with its hands, there will be a tendency "to break down the existing barriers of prejudice between manual and intellectual workers". Additionallly he pointed out, "it cultivates a true sense of dignity of labour and of human solidarity".

The inaugural address that Ganesh delivered at the All India Oriental Conference was short and, to start with, equally apologetic. He wished the Conference officials had invited some one else with better academic qualifications. He spoke about world peace and the importance of education in moulding a nation for peace. He spoke about a people's social heritage and wondered whether a nation could grow and thrive materially and spiritually "without a proper understanding of their social heritage". He agreed with Dr M.R. Jayakar that the Faculty of Indian Culture should be a compulsory branch of study in every university. "Unless our graduates have a good grasp of our culture, and have studied it on a scientific basis, it will be difficult, if not impossible, even to adjust ourselves in our relations with the rest of the world" he said. He wanted, in this context, to say that the tradition of sanskrit learning should be kept alive.

Ganesh was equally brief in his inaugural address at the Indian History Congress. After the customary apology for speaking as a layman he pointed out that knowledge for its own sake was undoubtedly the ideal. He said: "When we speak of pursuit of knowledge for its own sake, what we really mean is that those who pursue the acquisition and advance of learning, should not expect any direct material benefit, consequent upon their labours for acquisition of knowledge and research. They should feel an impersonal urge for knowledge in the faith that, all knowledge must ultimately result in the good and progress of society".

In the course of his address Ganesh raised the question that has often been asked: what is history? He said:

> But the main question is: what is history? What is its purpose? How it should be conceived, constructed and written? What is the good of stating and recording events in the lives of men and of nations? Are they written or to be written merely for the pleasure of remembering the old days or is there any further purpose or utility? All these questions have to be satisfactorily answered before

> laymen can be invited to concentrate their efforts not only on the study of history as it obtains but on the research in history and on the re-writing of truthful history of the past not of one nation but of every nation in the world.

Ganesh held that History is the best agent in the education of man in all countries to achieve a state of peaceful society". He noted that history is generally associated with political activities of groups of men called nations with acquisition by individuals or nations of territories or with way of domination over other people. But such history kept people divided "by all sorts of Complexes - pride, hatred etc". In the circumstances, argued Ganesh, the time had come to write an integrated history of man and to treat the human family as an integrated, homogenous one. Ganesh said that if one looked closely, there was a continuity in every group of human society. It was the duty of the historian, therefore, to provide" a complete picture of the past. He added:

> A historian has therefore to undertake the very difficult and heavy task of finding the Truth. He must know how to appreciate the mass of material from which to cull out true and relevant facts to construct history. Though his business is to find out facts as a judge, he is also to be imaginative... His activity is to be synthetic and Interpretative and his Ideal has to be a search for Truth.

Obviously inaugural addresses are not place to discuss the role of a University or discuss the relative merits of media of instruction - Ganesh was always meticulous in toning his speeches to the needs of his audiences - but it is nevertheless surprising that even in his address to teachers, he refrained from touching upon what was then a very controversial subject.

For all his modesty, Ganesh was deeply interested in education, kept himself abreast of developments and current literature and his one ambition - that unhappily went by unfulfilled - was to become the first Vice-Chancellor of Gujarat University. He had striven for it as Dr. M.R. Jayakar did for

Pune University. He was the one who was responsible for the drafting of the Report on the University Committee. He had definite views on the running of a university. He had prepared the ground immaculately for the setting up of the University by judiciously buying land around Ahmedabad at reasonable prices. But when it came to the crunch, the Government of Bombay at that time chose another celebrity to the post. Nothing during his long, selfless and meritorious public life brought Ganesh more disappointment than the denial of the Vice-Chancellorship to him. He took the disappointment stoically - but it hurt.

V

Moulding Free India's Parliament Through Transition

IN OCTOBER 1945, amidst a great deal of political activity, the Congress Parliamentary Board selected Ganesh to represent Bombay Northern Division Non-Mohammadan constituency in the Central Legislature. He was till then Speaker of the Bombay Legislative Assembly, then, of course, in hibernation.

He was returned unopposed. Nobody would have thought of ever opposing him, such was his standing among the electorate. The first sitting of the Sixth Central Lagislative Assembly was held on 21 January 1948. Sir Cowasji Jehangir, a nominated member was appointed Chairman to conduct the proceedings of the House till the President of the Assembly was elected.

The election to the office of the President (as the Speaker was then referred to) was held on 24 January 1946 amidst a lot of tension and politicking. It was clear to many that independence was in the air. Congressmen in large numbers had ben elected to the Central Legislative Assembly (it was to be called Lok Sabha or Parliament much later) and the question of who should be President of a body that could turn out to be India's first parliament under freedom agitated many minds. Understandably, the election was hotly contested. The official

government candidate was Sir Cowasji Jehangir himself and he had the full support of the official bloc, the European Group and the Muslim League. His nomination was proposed by Nawabzada Liaquat Ali Khan (who was later to be Prime Minister of Pakistan and get assassinated) and seconded by Syed Ghulam Bhik Narang. The Congress nominee was Ganesh who had already made his mark by his excellent handling of the Bombay Legislative Assembly and was known for his impartiality and clear perception of his duties. His name was proposed by Sarat Chandra Bose (elder brother of Subhas Chandra Bose) and Manu Subedar and seconded by Satya Narain Sinha and Sri Prakasha, both of the Congress.

The government actively and openly opposed Ganesh. It made no bones of its desire to see that Sir Cowasji got elected. Voting then was by secret ballot, which was just as well. The committed strength of the two sides being what it was, it was generally believed that Sir Cowasji would romp in easily. But the government reckoned without the secret patriotism of some of its own men. When the votes were counted, to the surprise of many, Ganesh had won by the slender margin of three votes and was declared elected by 66 votes to 63. The jubilation in nationalist quarters had to be seen to be believed. It was a slap in the face of the government whose spokesmen were visibly annoyed. They wanted to find out who among the official members had deserted to the nationalists. A request was made to the Returning Officer, M.N. Kaul to reveal the ballot papers. Kaul diplomatically replied that the papers had been burnt. But the resentment against the nationalists remained. It manifested itself in some ugly speeches made by Liaquat Ali Khan and some other members of the Muslim League that created quite a lot of heat. The situation was saved by the leader of the European Group, Sir Percival J. Griffith who made a graceful speech. He said:

> It is in no conventional sense that I rise on behalf of the European Group to offer you (the President, Mr Mavalankar) our sincere and whole-hearted congratulations on

your election to this great office, to assure you of our unqualified and ungrudging support and to affirm our belief that you will guide the affairs of this House with wisdom and impartiality. We in this Group come from a country whose pride it is to have given birth to the Parliamentary tradition and we realise to the full that the President of this Honourable House, as is the case with the Speaker of the House of Commons, is the focal point of that Parliamentary tradition. It follows that in so far as we maintain your dignity, we maintain our own, in so far as we offer to you unquestioning obedience, so far we teach the public at large to accept without question the decisions of the Legislature. In every respect the more honour we give to you, the more honour we show to the Legislature itself and the more firmly we establish the Parliamentary tradition in this country. It follows from these considerations that now that you, Sir, have been elected to your high office, you have become the representative not of a section or of a party but of the whole House and you are therefore entitled to expect from every party and every individual of this House complete and unwavering support in the discharge of your duties. On behalf of this Group, I give you the fullest promise that support will be forthcoming and we, for our part have no doubt whatever that in return for that support from all parties, you will protect them all alike impartially and without regard to their different shades of political opinion.

My last word is this. It is our sincere hope that under your wise guidance, the dignity of this House may be enhanced, that its powers may be extended and that before your term of office is finished, this House which is now a subordinate legislature, may be translated into a fully soverign body. In the meantime it will be our aim to give you every assistance in the fulfilment of those difficult and responsible duties which you have taken upon yourself.

They were prophetic words. The Central Legislative Assembly did, indeed, become a "full-fledged sovereign body", but that was still ahead. Griffith's speech acted to lessen the tension in the House. Ganesh's own reply was remarkably brief. He did not refer to the earlier speeches made - that, in any case, would have been improper - but thanked the House for its trust in him. He said:

> I do not propose to say many words. I really feel overwhelmed by the very kind words that have been said about me and I do feel the weight of the expectations about me. I am thankful to the House for the great honour they have done me and for the confidence they have reposed in me. The burden cast on me is very heavy but I hope that I shall be able to shoulder it with the cooperation and goodwill of all sides of the House. The rights and privileges of Members will always be my first concern and I shall try my best to so conduct myself as to maintain the best traditions of democratic institutions. I do not think I need say anything further. Honourbale Members, I thank you very heartily again.

Ganesh continued to occupy the office of the President of the Central Legislative Assembly until 14-15 August 1947. Under the Indian Independence Act 1947, the Assembly was declared the Constituent Assembly of India and a fully sovereign body which it automatically became on the midnight of Independence Day. At that pre-determined moment, the Central Legislative Assembly and the Council of States ceased to exist and the Constituent Assembly of India, which had been functioning since 9 December 1946 for the purpose of framing a Constitution was empowered to function also as a sovereign legislature of the country.

But immediately some ticklish questions arose. In some parts of India incidents had occurred in regard to the flag-hoisting ceremony and on 20 August 1947 a point of order was raised in the Constituent Assembly whether it could simultaneously function both as a Constituent Assembly and the country's

legislature. A Committee under the Chairmanship of Ganesh was appointed the same day to consider that question and allied matters. The Committee submitted its report five days later on 25 August. On 29 August, after considering the Mavalankar Committee Report, the Constituent Assembly resolved that the business of the Assembly as a constitution-making body should be clearly distinguished from its function as the Dominion legislature and that a provision should be made for the election of a Speaker to preside over the Assembly while functioning in the latter capacity. In accordance with the resolution, the Indian Legislative Rules in force immediately before the establishment of the Dominion of India were modified and adapted by the President of the Constituent Assembly. When the Assembly met for purposes of ordinary law-making it was called the legislative wing of the Constituent Assembly or the Constituent Assembly (Legislative). Presided over by the Speaker it functioned as the legislature of the country with the secretariat of the pre-independence Legislative Assembly as the secretariat. The first meeting of the first session of the Constituent Assembly (Legislative) was held in the Assembly Chamber of the Council House (now called the Lok Sabha Chamber of the Parliament House) on 17 November 1947 at 11 a.m with the President of the Constituent Assembly in the chair. There was only one nomination for the Speakership: that of Ganesh. Since there were no other names submitted, he was declared duly elected. Dr Rajendra Prasad who was till then occupying the Chair vacated it and Ganesh took over.

Once again he had to make a short thanks-giving speech. A high honour had just been conferred upon him: that of the Speakership of the first Parliament in free India. He said:

> Honourable Members, I am deeply thankful to you all for the confidence you have reposed in me by electing me to this high office of the Speakership of the first Parliament of Free India. I am conscious of that honour conferred on me and the confidence reposed in me carry with them a heavy responsibility. I hope that it may be given to me to

prove myself worthy of both. I can only say that I shall spare no pains for the purpose.

Many of the members assembled here as legislators of free India have had experience of Indian legislatures functioning under the British aegis. All the members have hitherto engaged themselves in the most difficult and intricate task of constitution-making. Today we are meeting under wholly different circumstances and with a different character of business. We have begun to function as a legislature or Parliament of Sovereign India, having an independent and distinctive place on the world map. We have aspired and will continue to aspire to maintain the best relations with all the powers of the world and we hope that India will be privileged to play an important role in the achievement of world peace and prosperity.

Free, frank and impersonal discussion of every question, viewed from the point of view of the betterment of the conditions of the masses and with an international outlook on world peace is, I may be permitted to say, the very soul of democracy, for which the last devastating war was said to have been fought. In order to work for the fulfilment of that democracy, we shall be required to lay down our own standards and establish traditions, and with the sincere cooperation of all the members of this august Assembly, I hope to be helpful in upholding the best democratic standards and traditions and the dignity and independence of this House.

I thank all members once again and pray that the Almighty may help us all in our efforts.

It did not take Ganesh even fifteen minutes to make this brief speech. He spoke in slow, measured tones. He made his role and the role of the Parliament very clear from the very outset. It was *to lay down our own standards* and to establish *our own traditions*, not just to copy them from other bodies. It was not that Ganesh wanted to dispense with standards and traditions

established by the British Parliament. Far from it. But conditions in India were different. Indian traditions were different. The first Parliament of free India, in the circumstances, had to set up standards befitting its place in the scheme of things. "Free, frank and impersonal discussion"was to be allowed as befitting a democracy. The goal was the betterment of the conditions of the masses, no less. And in all this, Ganesh sought the cooperation of all Members, many of them, he knew, had worked in provincial legislatures as well as in the Central Assembly in days past...

He had reason enough to speak of creating standards relevant to Indian conditions. For example, before independence and the adoption of the Constitution of India, there was no provision for the discussion on the Address of the Governor-General by the Houses of the Legislature. The Address could not be made a subject of criticism in the Central Legislature as the Government was not responsible to the legislature. It was only in the Provisional Parliament that the practice of discussing the President's Address on a "motion of thanks" was actually started.

Then there was the question of Parliamentary Committees. Rules governing the composition and procedure of parliamentary committees had to be amended and here Ganesh's expertise became invaluable. It was he who gave a sense of direction and purpose to Committees, several of which had to be set up anew. Thus it was decided to have a Parliamentary Committee which could examine cases of breach of Parliamenttary Privilege and to report to the House, saving thereby the time of the House. The Committee of Privileges with ten members was appointed for the first time on 2 April 1950 just after the Provisional Parliament came into existence.

The two years between 1948 and 1950 were years of great sorrow. Mahatma Gandhi was assassinated on January 30, 1948. Sardar Vallabhbhai died on 15 December 1950. It fell to the lot of Ganesh to preside over the Parliament when these events had to be noted. The Mahatma was his guru. The Sardar

was his elder brother in public life with whom he had spent many happy hours in conversation and discussion. Their passing away left large holes in Ganesh's own life. In their different ways both the Mahatma and the Sardar had become part of Ganesh's own being.

The months passed swiftly enough. Those were years of the consolidation of India as a single unit, one and undivided. Major decisions were being taken by the government in many fields.The Patel Committee's Report on minorities was submitted to the Constituent Assembly. The Report recommended joint electorates, representations of the minorities at the Centre and in states and other safeguards.

The Sardar persuaded the Government to over-rule Lord Mountbatten, the Governor General and to entrust the Indian Army with operations against the Nawab of Junagadh. He was tough, forthright but just. He pledged government protection to Muslims staying in India. At the same time he told them that forced conversions and marriages would not be recognised.

In the legislature composed of some of the ablest minds in India at that time, Ganesh had no easy task. On the one hand he had brilliant but demanding legislators like H.V. Kamath who would come prepared to the legislature and were by no means novices. He had to sternly control them. On the other hand he could always rely on the support of Jawaharlal Nehru and Sardar Patel. Additionally, he could also depend on the good sense and understanding of the members themselves. In a sense Ganesh had a job that was simultaneously enviable and unenviable. In the course of those early years both the Speaker and the Parliament grew in stature. They were the formative years of Parliament and Parliament was being moulded by expert hands. Importantly, parliamentarians were willing to be moulded. After all, hadn't Ganesh said that he wanted to lay down proper standards and establish healthy traditions?

But even while legislative work was going on, the Constituent Assembly continued its work and quickened its pace. Through

the Constituent Assembly the people of India gave themselves a Constitution for the first time in history. The deliberations were completed after much debate, argument and discussion on 26 November 1949. The travails were worth while. It was agreed that the Constitution would come into force on 26 January 1950, though some provisions relating to citizenship, elections and the provisional Parliament were given immediate effect on 26 November 1949 itself.

Under Article 379, the Dominion Legislature i.e. the Constituent Assembly (Legislative) over which Ganesh had been thitherto presiding, became the Provisional Parliament immediately before the commencement of the Constitution. The Provisional Parliament thus was a continuation of the Constituent Assembly (Legislative) and there was no violent break with the past.

It is significant that the word 'Parliament' was used for the first time in the history of parliamentary institutions in India. Even the adjective 'Provisional' was often forgotten in actual usage and the Union Legislature or the National Legislature of the Republic of India came to be called Parliament.

Ganesh, of course, was the link between the Constituent Assembly (Legislative) and the Provisional Parliament. He was the elected Speaker and he continued to occupy the office of the Speaker throughout the Provisional Parliament. There could have been no better arrangement than having the same person in the Chair before and after independence who could utilise the experience and skills gained in the two different situations for adjusting and modifying the procedures in accordance with the changed circumstances and to meet the needs of a responsible legislature of independent India. Ganesh provided the essential continuity and because of this very fact Ganesh's continuity has been often considered to have been the most fruitful.

There was about the granite-like figure of Ganesh, his well-chiselled features and his assumed sternness, a sense of

power and self-assuredness. With Ganesh in the Speaker's Chair, members of Parliament felt that all was well, that Parliament and the Republic was in safe hands. As one official has later noted, many of Ganesh's important rulings were made in the light of his past experience in the Legislative Assembly. Replying to the farewell address given by the Speaker to the members of the Provisional Parliament on 5 March, 1952, the Prime Minister, Jawaharlal Nehru, said:

> ... You were sitting in the Chair, Sir, to guide us and we could not go far astray so long as you were there. In any event, whatever we may have done, there can be no doubt that such conventions as have grown up and such habits and procedures have been largely due to your able and, if I may say so, very understanding guidance of the House. And all of us, whether we come back to subsequent Parliament or not, have profitted greatly by that guidance of yours and in whatever sphere of activity we may indulge in, that profit will endure.... Above all I am sure, we shall remember you, Sir, and what you have taught us during these years.

No lovelier or loftier tribute could have been paid to any Speaker and Ganesh was deeply touched, especially because the words came from no less than Jawahar Lal Nehru himself. It was an emotional moment for Ganesh, as indeed it was to everybody who had first been elected to the Constituent Assembly and subsequently had the privilege of serving in the Provisional Parliament. The Provisional Parliament represented a most crucial phase in the history of Indian Legislature viz that of transition from a colonial institution into a sovereign Parliament under the Constitution of independent India founded on the principles of a fully representative parliamentary democracy. Also, it marked the beginning of a new era of fully responsible government. When Nehru finished speaking, there were quite a few moist eyes. The members had gone through a moving, almost spiritual, experience.

What did the Provisional Parliament achieve?

Questions: The government having become responsible to the legislatures it had to be prepared to place before Parliament information on all matters of administration. All the Minstries/ Departments were divided into three Groups: Group I, Group II and Group III, for answering questions. Different days were fixed for each category and since the House was meeting six days of the week, the turn of each Group came twice a week. Questions were addressed to the Ministers concerned.

Short Notice Questions: Procedure of short notice questions was started during the Provisional Parliament with a view to curbing the frequency of the adjournment motions which members sought to sponsor for obtaining early information on matters of urgent public concern. These questions could be answered on a short notice of three days provided the Minister concerned agreed.

Half-an-hour discussion: This was another procedural innovation that Ganesh introduced. This enabled members to raise half-an-hour discussion on matters of sufficient public interest which had been the subject matter of earlier questions in the House. The idea was to enable members to get fuller information and to raise more detailed points than could be done by oral questions and answers during Question Hour. It was hoped that this provision will shorten the time for supplementaries and enable members to put through more questions for oral answers. On this subject Ganesh observed on 5 March 1952:

> To facilitate elucidation on points that arise during the Question Hour, we have provided for/what/we technically call, a Rule for half-an-hour discussion and I am happy to say that advantage was taken of this by members.

Members, of course, were all too happy to take advantage of this provision. The Provisional Parliament had probably the best membership any parliament ever was to have subsequently and the members were anxious not only to ask questions for the specific purpose of eliciting information, but to set precedents.

They knew that long after they had themselves ceased to be members, what they had done-- and how they did it-- would be cited and they were all tremendously aware of what they should do and were doing.

Legislative procedure: In the field of legislative procedure, an important provision was made during the Provisional Parliament to the effect that every Bill was to be accompanied by a financial memorandum inviting particular attention to the clauses involving expenditure involved in case the Bill was passed. It was also provided that the Chairman to the Select Committee would be appointed by the Speaker and if the Deputy Speaker was a member of the Committee, he would be its ex-officio Chairman. The quorum for the committee meetings was thenceforth to be one third instead of five as earlier. Parliament was also empowered to pass a Vote on Account before passing the whole Budget. Procedure for passing a Vote on Credit and Appropriation Bill was also passed.

Adjournment Motion: During the days of the Central Legislative Assembly, the government was not responsible to the legilature and therefore, an Adjournment Motion could not be treated as a motion of censure of the government. The position changed after independence as the government became responsible to Parliament. It was therefore not possible to apply the same rules of admissibility after independence. Earlier, due to the lack of adequate procedual opportunities to members, the provision of adjournment motion was used to draw the attention of the government to specific issues and also to criticise the government. But happily, after independence, several other remedies became available for the purpose. It was therefore held that Adjournment Motions could not be accepted on all and sundry issues. Ganesh put it in the right perspective. He said:

Since 15 August 1947 the whole political set-up has been changed. The Government is popular and fully responsible to

the elected representatives of the people. So, the rules about adjournment motions were to be applied in the same rigid sense as it was in the United Kingdom.

Discussion on President's Address: As Ganesh rightly pointed out, 15 August 1947 changed many things. Before that day and the adoption of the Constitution of free India there was no provision for the discussion on the Address of the Governor-General by the Houses of the Legislature. The address could not be made a subject of criticism in the Central Legislature as, again, the Government was not responsible to the Legislature. It was in the Provisional Parliament that the practice of discussing the President's Address on a 'motion of thanks' was actually started.

Parliamentary Committees: As in the matter of Adjournment Motion and discussion on President's Address, so also in other matters fresh departures had to be made. Thus, rules governing the composition and procedure of Parliamentary Committees were amended under the guidance of Ganesh (the Speaker) with a view to changing their charcter and to bring them in line with the new political situation. Under Ganesh's guidance, a Committee of Privileges with a membership of ten was appointed for the first time on 2 April 1950 just after the Provisional Parliament came into existence. Credit was due to Ganesh.

The idea of a Rules Committee was also mooted at a suggestion made by Ganesh. From its inception upto 1951, the Rules Committee functioned as an Advisory body to the Speaker. In May 1951, the Chairman of the Rules Committee (the Speaker himself was the Chairman) observed that since the Rules Committee had already been functioning under an informal arrangement and the experience gained in the working of the Committee had been satisfactory, it might be a good idea to embody the provisions regarding its constitution, functions etc in the Rules themselves. The Committee agreed and the provisions relating to the Rules Committee were made the Rules of Procedure for the first time in May 1951.

During the Provisional Parliament, Ganesh as Speaker was responsible for some significant rulings that have withstood the ravages of time. According to Dr. Subash C.Kashyap, Secretary General of the Lok Sabha these rulings are:

1. Name of member giving notice of Adjournment Motion need not always be mentioned by the Speaker. Sometimes an adjournment motion is so obviously untenable and the desire for publicity is achieved by the very fact of a mention of the name of the member giving the notice of it. In such cases the name of the member should not be mentioned.

2. A policy which is continuing from day to day cannot be the subject matter of an Adjournment Motion.

3. A marginal reading is not part of a Bill. Amendments thereto are not permissible.

4. During the discussion on an Amendment Bill, only those sections are discussed which are sought to be amended and not the whole law.

5. After having placed the Bill before the House, no clause of the Bill can be withdrawn. It has to be put and negatived by the House itself.

6. Private Members' Bills involving expenditure from the Consolidated Fund of India should have President's sanction before they can be considered by the House.

7. The question of a Bill being Ultra Vires of the Constitution will not be decided by the Chair. It might be left to the House which can reject the Bill in case it is found *ultra vires*. If the House accepts the Bill for consideration, the party aggrieved has his remedy in the Supreme Court or other Courts.

8. No debate is permitted, by convention, on an Appropriations Bill.

9. Re-committal of Bill to a new Select Committee is permissible.

10. Members of the Select Committee should not try to participate in the debate.

11. For raising a point of privilege, Chair must be contacted in the Chamber first and made cognisant of the matter. It should not be raised straightaway in the House.

12. It is within the powers of the House to constitute other Special Committees if there are any special circumstances and enquiries to be made.

13. Merits of an order of a High Court should not be discussed in the House as the House cannot sit in judgment over the proceedings of the Court. Copy of the Proceedings of the House relating to a matter on which a High Court has passed orders should not be sent to the court.

14. It is for the Speaker to decide whether a *prima facie* case of privilege exists or not. If he comes to such a conclusion, he may send the matter to the Privileges Committee.

15. No doubt Article 112 implied that the Appropriations Bill should be one, but it did not provide for the operation of the Consolidated Fund once for all by one stroke. The very fact that the Constitution permits the House to have a Vote on Account and Excess Grants, to split it into one or more compartments, proved that it nowhere restricts that the House shall consider the entire expenditure an one block and that it shall take only one Appropriations Bill.

In due course, the Provisional Parliament came to an end and fresh elections had to take place. The Congress Party fielded some top drawer leaders that included Jawaharlal Nehru himself, Purshottamdas Tandon, Harekrishna Mahatab, Nijalingappa, Shah Nawaz Khan and S.K.Patil. Others included Mahavir Tyagi, N.V.Gadgil, O.V. Alagesan, K.D. Malaviya, Swaran Singh, R. Venkatraman, Seth Govind Das and Thakurdas Bhargava. The Opposition also fielded stalwarts like Dr Shyama prasad Mukherjee, Acharya J.B. Kripalani, Asoka Mehta, A.K. Gopalan, H.N.Mukherjee, N.C. Chatterjee, S.S. More, Meghnad Saha, H.V. Kamath and Sardar Hukem Singh.

The congress, of course, won. The first elections to be held on the basis of universal adult franchise took place between October 31, 1951 and February 1952. Out of a total of 173 million entitled to vote, some 88 million actually exercised their vote. In a House of 499 seats, Congress held the majority: 363 seats. Ganesh was elected from Ahmedabad constituency.

On 15 May when the House met— this was the first Lok Sabha in free India duly constituted under the brand new Constitution—Jawaharlal Nehru as Prime Minister, moved that "G.V. Mavalankar be chosen as Speaker". This time, too, the Opposition fielded its own candidate, but it was more a matter of routine that Ganesh should be elected. S.S. More, the Opposition candidate received 55 votes to Ganesh's 394. Amidst a Lot of cheering and thumping of desks, Nehru, Maulana Abul Kalam Azad and A.K. Gopalan led Ganesh ceremoniously to the Speaker's Chair. Thus Ganesh became the first Speaker of Independent India and, as such, the presiding deity, so to speak, of the Lok Sabha.

The first to offer congratulations to Ganesh According to custom, was the Prime Minister of India. Jawaharlal Nehru spoke of Ganesh's vast experience and felt that the first Lok Sabha was fortunate in having a speaker of Mavalankar's calibre "to guide us and, if we go astray, to pull us back where necessary, to admonish us and to check us".

Ganesh replied suitably. It was his longest such speech. Ganesh thanked those who had elected him and said that when he thought of the responsibilities that had devolved upon him he felt "a sense of nervousness and the faith that the House had reposed in him made him accept the challenge He said:

Obviously, the character of this House is different from its predecessors. Until now, whatever our ideologies and notions of public welfare and the functions of government, we were all engaged in dislodging the foreign rule in our land. We have been successful in achieving independence and we are now masters of our own destinies. But the very fact of the end of the

foreign rule has brought to the forefront the vast differences in ideologies, and though our objective is common, as defined in the Constitution we differ widely and sharply in regard to the ways and means. This is but natural and, in a sense, necessary also, for any Parliamentary Government to function properly and for the real benefit of the people.

He told the Members that at the same time that each one of them had to remember that however great the differences in viewpoints and methods, they were all meeting in the Lok Sabha as representatives of the nation, for one common cause, which was, in the language of the Preamble to the Constitution "to secure to all its citizens, justice, liberty, equality and fraternity". He told them:

> All that we speak or do here has to be looked at and judged in this background of our common ideal; and each one of us has to see for himself as to whether and how far he helps "to secure to all the citizens" what the Constitution aims at. Consciousness of this limitation will, I am sure, go a great way to ensure the requisite atmosphere for the efficient functioning of a parliamentary democracy.

Ganesh said that a Parliamentary Government is described as a government by discussion. Every Member had the fullest liberty to express his own views, remembering that every other Member also had the same liberty. It became necessary, therefore, to exercise restraint on the contents and the extent, as also on the language of the discussion. An atmosphere of sportsmanship, mutual goodwill and respect was an essential condition for the debates being useful, helpful and effective. That, in turn, meant a disciplined mind which will respect not only rules and regulations, but also the innumerable conventions of parliamentary debates, everyone of which cannot obviously be the subject of a rule or regulation. To the extent that persons holding different views or ideologies exhibited the qualities of tolerance and 'give and take' and made an effort to understand the differing points of view, to that extent alone

would Parliamentary Government stand a change of being successful. It was not so much laws or regulations that would bring the desired results as the spirit in which persons charged with responsibility acted towards each other. Ganesh then continued:

> Our Constitution has mainly adopted the English model for our Parliament. Legislative institutions from their time of their introduction in India have been moulded on the same lines for obvious historical reasons. Many of the rules of procedure and standards of conduct current in the British House of Commons are the outcome of experience of long standing, To the extent they deal with general human nature they serve us as good precedents by which we may profit. Such of the English conventions or forms as are the result of the history of their struggle for freedom, will have to be viewed differently and it will be upto us to evolve our conventions and forms in the background of our national character, genius, history and culture.

Ganesh reminded the Members that Parliamentary life had only recently begun in India and it was as yet "a tender plant that required delicate and careful handling" not to say nursing. It was, therefore, the special responsibility of the present parliament to set up sound and healthy traditions as whatever Members did was more likely to be a precedent for all time to come. Ganesh warned that unless, therefore, they kept continuity and respected tradition, it would be difficult to have stable governments in the land.

He added:

> I consider it necessary to say a few words about the non-party character of the Speaker in view of the practice in England. The position of the English Speaker is a matter of historical growth and it has been established at the end of centuries of struggle of the Commons for independence. Its evolution to the present stage has taken

> place after the establishment of the full authority of the Commons. The position is undoubtedly an ideal one provided it is accompanied by the other essential corollaries of democracy. While, therefore, I shall always strive for the establishment of this ideal, it is obviously not possible in the present conditions of our political and parliamentary life to remain as insular as the English Speaker so far as political life goes. But the Indian Speaker acting as such will be absolutely a non-political man, meaning thereby that he keeps aloof from the party deliberations and controversies; he does not cease to be a politician merely by the fact that of his being a Speaker. We have yet to evolve political parties and healthy conventions about Speakership, the principle of which is that, once a Speaker, he is not opposed by any party in the matter of his election whether in the constituency or in the House as long as he wishes to continue as Speaker. To expect the Speaker to be out of politics altogether without the corresponding convention is perhaps entertaining expectations. From this point of view, as also from my moorings in the past, I cannot be out of that great organisation—the Indian National Congress—under whose banner I have had the privilege of serving in one capacity or other for the last forty years. I therefore continue to be a Congressman just as any Indian can continue to be a Hindu or Muslim or a Parsee etc and still he is no less as Indian so far as the national questions are concerned. Similarly, though a Congressman, it would be my duty and effort to deal with all Members and sections of the House with justice and equity and it would be my duty to be impartial and remain above all considerations of party or of political career.

It was a frank and honest speech outlining the duties of the Speaker, his role in the House and what Ganesh thought should be proper conventions. It was not a speech to be debated as such but it was a hint of what he expected of all—the party to

which he belonged and the parties that were in opposition. Ganesh ended his speech with a request to all Members to extend to him "their willing and effective cooperation promised in so many speeches".

VI

Father of The Lok Sabha

GANESH TO THIS day is known as the Father of the Lok Sabha even as Mahatma Gandhi is known as the Father of the Nation. There is no doubt that Ganesh is indeed the Father of the Lok Sabha. It was he who moulded the Lok Sabha and gave it a shape and a form that was commensurate with the Indian tradition. He was by no means a great orator, but when he spoke he spoke with immense dignity and force of character that compelled everyone to listen to him. It was fortutious that he was elected to the Central Legislature, for had he been defeated then, it was unlikely that he would have presided over the Provisional Parliament. The election as President of the Central Legislature was due, in large measure to the support given him by the Maharaj Kumar of Vizianagaram and to the brave neutrality of Himmat Singhji of Nawanagar, both of whom were members of the Central Legislature and whose loyalty to the British Establishment had been taken for granted. These two intrepid men braved the wrath of the Establishment to their eternal credit, and chose Ganesh rather than the official nominee. It turned out to be a historically wise decision.

There was hardly any one who had an unkind word to say about Ganesh and the way he handled the earlier Central Legislative Assembly and the later Provisional Parliament and finally the Lok Sabha. When he had to give a ruling against the government when India was still ruled by the British he did so

gracefully and cushioned it with such choice expressions of decorum and precedent that it went well with the vanquished. Indeed curtesy was his strong point and members never forgot it. Where he could, Ganesh would give his moral supoort to a member in difficulties. N.G. Ranga. now a very senior member of Lok Sabha has testified to it.

> Shri Mavalankar's affection for members of parliament was proverbial. He had a soft corner for me in his heart. When I failed to get elected to the first Lok Sabha, I promptly sent in my resignation from the membership of the Parliament, even though I could have continued as a member until the new Lok Sabha assembled. Many members who had similarly lost in that election continued to attend the Provisional Parliament. Shri Mavalankar wrote an affectionate letter to me in which he deprevated my unnecessary resignation and assured me of the Parliament's regard for my services. And to show his affection and sense of recognition of my parliamentary services he chose me for the Indian delegation which attended the Commonwealth Parliamentary Conference held in Ottawa in 1952, although I was then in the Opposition and in the Rajya Sabha. What is more, he further asked me to lead India's delegation on the most important discussions at Ottawa on 'foreign affairs'. This showed the catholicity of his conception of partriotism.....

At that same conference Ganesh showed his calibre and innate wisdom. The delegate from Pakistan had created a piquant situation by raising the issue of Kashmir when such bilateral issues were by understanding not to be raised. Actually, the matter was raised when the meeting was discussing South Africa's apartheid policy under the Malan regime. Ganesh rose to intervene in the debate. Speaking softly and in measured tone, Ganesh raised the level of outlook of the conference so high and dealt with Pakistan's and the commonwealth's responsibilities so magnanimously that the whole conference regretted Pakistan's uncalled for intervention.

That was Ganesh's style. He could make his point without hurting a member's sensibilities. Several M.Ps have testified to this fact. He could, however, be firm when firmness was called for. According to Sir Frank Antony, for many years a representative of the Anglo-Indian community:

> Mavalankar was firm without being rigid. No member was allowed to behave, deliberately, in an indecorous manner by shouting, yelling, standing while the Speaker was on his feet. Not seldom, Mavalankar had an incorrigibly irresponsible member removed from the House. When he had to deal with legal matters, give rulings, he was brief but incisive and clear. Decorum, proper discipline, propriety of behaviour, not walking between the Chair and a member who was speaking, certainly not speaking in the well of the House, were the order of the day; no attempt was tolerated from a member to be wiser than the Chair with regard to rulings.

Then there is the testimony of D.Basumatari, a former Chairman of the Parliamentary Committee on the welfare of Scheduled Castes and Scheduled Tribes:

> During his (Ganesh's) long tenure of over ten years as the Speaker Shri Mavalankar enhanced the glory and dignity of Parliament. He was instrumental in drawing up the Rules which now govern the proceedings of the House. His far-sightedness and his zeal for parliamentary control over the Executive is evident from the fact that he had fought for and convinced the then Finance Minister of the need for setting up of Parliamentary Committees, namely, the Estimates Committee and Public Accounts Committee.... Being a very disciplined and impartial speaker he was successful in maintaining a democratic atmosphere of cordiality and give and take in the Lok Sabha which enabled him not only to discharge all his duties to the satisfaction of all sections of the House but also to feel genuine pleasure in his work...

In a rich tribute, Basumatari said that Ganesh always encouraged the members to apply their minds not merely to procedural forms but to the substance and help evolve healthy traditions. Basumatari said Ganesh visualised the Question Hour as an important device to ensure cordial relationship between the Legislature and the Executive.

An even fuller tribute was paid to Ganesh by S.L. Shakdher, a former Secretary-General of Lok Sabha. According to Shakdher, Ganesh was "a great Speaker, a born Speaker". He could hold "the correct balance between the ruling and the opposition parties to enable the House to function efficiently and in the interests of the people". Where parliamentary forms were concerned, noted Shakdher, Ganesh never hesitated.

> Shri N.C. Chatterjee, a member of the Lok Sabha, had once allegedly used some derogatory words against a member of the Rajya Sabha in a speech in Simla. The Chairman, Rajya Sabha, issued him a Contempt Notice which later formed part of privilege proceedings in the Lok Sabha. Prime Minister Nehru suggested in the House that the erring member should apologise to the Chairman of the other House and the matter be closed. The members of the House were agitated and Mr Speaker Mavalankar was called upon to give a ruling in a tension-ridden House. Any weak Presiding Officer would have accepted the suggestion of the Prime Minister as a way out of the impasse but not Mr Speaker Mavalankar. He gave an extempore ruling immediately that he would not advise the member to apologise since that would mean submitting Lok Sabha, to the jurisdiction of the other House and as head of the Lok Sabha he would never do so. Later on, the Speaker's stand was considered right by Pandit Nehru. Mr Speaker Mavalankar set up healthy precedents and we have now a firm procedure to settle all these disputes on clearly laid down guidelines.

Ganesh could be as firm with the Prime Minister himself as with any ordinary member of the House. He never sought an

opportunity to meet Nehru and kept his distance from him as Speaker. If the two met, it was only at social functions. If there were any tough procedual issues to be sorted out, this was done by the respective Secretaries of the Prime Minister and the Speaker, H.V.R. Ayyangar and M.N. Kaul. Once there was a clash between Nehru and Ganesh in the House. The Prime Minister wanted to make a second statement on the same day in contravention of the then Rules. Ganesh disallowed it. Nehru had to bow down to the ruling of the speaker.

Ganesh heartily disliked government by Ordinances and their promulgation became a subject of correspondence between him and the Prime Minister. Ganesh felt acutely that in a Parliamentary system, laws must be made on the floor of the House and not by executive fiat. Ganesh argued that the constitutional power of issuing ordinances should be exercised selectively when there was really such an urgency that the matter could not wait till the next session was held. He decried the use of this power as an alternative to parliamentary power. Frequently, whenever an Ordinance was promulgated, Ganesh would write to the Prime Minister that there really was no urgency. Once Ganesh was so incensed that he didn't agree to the prorogation of a session so that government may not have legal authority to issue an ordinance. That haunted the Prime Minister to such an extent that whenever a Ministry would propose an ordinance he would return it for strict re-examination!

Ganesh was equally zealous about defending the rights of Parliamentary Committees. He was emphatic that Parliament's supremacy over the Executive should never be in doubt. The trouble was that government officers were mortally scared of being put under the microscope and on one occasion some senior secretaries of the government went on delegation to the Prime Minister complaining that the scrutiny exercised by the Estimates Committee was getting to be too much. After one such complaint when Nehru referred the matter to the Speaker, the Prime Minister was gently told that officers of the

Government just had no business to go to him and that, if they had a problem, they should speak to the Speaker himself. Nehru saw the point.

Ganesh also had a pleasant sense of humour. Recounts Shakdher:

> Only day in Washington as we were leaving our Ambassador's house after a luncheon party some difficulty arose about the cars. There were only a few cars which could not accommodate all in the party. However with some adjustment, every one, excepting myself, was seated. Dada Saheb (Ganesh) on noticing this said to me: "Come in and sit beside me" I hesitated for a while as I found that on the back seat, where he and Mrs Mavalankar were seated, there was hardly any room for a third person and the front seats were all occupied. He understood my hesitation and said: "Don't feel embarrassed. You are one of my family and I am prepared to call you my own son but for the objection of my wife and sons who may feel worried about your share of my property". I immediately replied: "I renounce all my claim to all your riches and property and only crave for your paternal affection". At this everyone had a good laugh and I got a seat in between Dada Saheb and Mrs Mavalankar...

In the House he was responsible for laying down principles that to this day stand as guidelines. For example, in the matter of parliamentary Questions:

* While admitting notices to questions, Speaker does not judge whether the disclosure of information asked for is in the public interest or not. Neither does he compel the government to give such information if it does not think it proper or desirable to do so. In other words, it is for the Government to decide whether a particular disclosure would be in public interest or not.

* If a Minister is unable to answer a question of sufficient public importance at short notice, the Speaker can direct the same to

be placed as the first question on the list of questions for the day on which it would be due for an answer. Not more than one question shall be recorded first priority on the list of questions for any one day.

* It would not be proper to send advance copies of answers to questions to Members as that would destroy the importance of the Question Hour.

* Contents of a proposed Bill cannot be allowed to be elicited by means of a Question.

* Questions relating to matters within the purview of a Committee of the House should not be allowed to be asked on the floor of the House.

* When the Business Advisory Committee recommended on 7 September 1955 inter alia suspension of Question Hour on certain days of the session, it was objected to by a member, H.V.Kamath on the ground that it could be done only by the unanimous consent of the House and also that the questions listed for those days should be transferred to some other day. Ganesh thereupon observed that a new convention was being developed according to which it would not be necessary to transfer questions to some other day. He said:

> The old convention does not stand now for the simple reason that it was a convention when there was no Business Advisory Committee. Now the Business Advisory Committee which represents the entire House takes all points of view into consideration and comes to a conclusion. The Report is before the House...If the House accept the Report, then it becomes the order of the House....

It was during the tenure of Ganesh as the Speaker that several parliamentary committees were constituted for the first time in addition to existing committees like the Public Accounts Committee. The increase in the volume and the pressure of parliamentary work gave rise to a need to plan the business of

the House within the available time. In his letter of 28 March 1951 to the Leader of the House, Ganesh observed that in the absence of any procedure regarding allocation of time in respect of various items of business, excepting financial matters, the Speaker was always placed in a delicate position in regard to curtailment of debate and, in particular, in accepting a closure motion, if moved. Ganesh said that he did not approve of the British procedure of an "allocation of time" motion as it might prove to be cumbrous and much time be spent over the motion itself. He said that he would prefer to entrust the duties connected with 'allocation of time' to a Steering Committee of the House. The Leader of the House agreed with the suggestion. From this arose the Business Advisory Committee which was constituted for the first time on 14 July 1952. It was to prove very helpful in the smooth running of business before the House.

Then there is the Committee on Private Members' Bills and Resolutions. The suggestion for such a Committee came from K.A.Nambiar who said that a Standing Committee on Private Members' Bills be constituted to examine all such Bills tabled by Private Members and to categorise them according to their relative importance. Nambiar also suggested that at least one day in a week be allotted for transacting the Private Members' business. The suggestion was acceptable to the Rules Committee and the first Committee on Private Members' Bills was constituted on 10 May 1954. During the budget session of the Provisional Parliament in 1950 Dr B. R. Ambedkar had suggested that a Standing Committee of the House be set up to examine delegated legislation following a procedure which had recently been set up in the House of Commons. The suggestion was accepted which led to the formation of the Committee on Subordinate Legislation.

Before 1953 it was left to each member to keep a watch on the fulfilment of the promises or assurances given by Ministers on the floor of the House. In most cases everyone from the Minister downwards usually forgot about the promises and

assurances made and few bothered to check on them. There was no obligation on the part of the government to make a report to the House in the matter of such promises and as a result lavish promises were made that were, in the first place, obviously not intended to be kept! It was therefore found desirable, to keep Ministers on the straight and narrow path, to have a Committee to keep track of promises made so that Ministers could be compelled to implement them. Out of this arose the Committee on Government Assurances. The Committee was first nominated by the Speaker with only six members. Subsequently the committee was enlarged to 15 members. It remains a purely Indian idea and has the distinction of having had in the very first Lok Sabha a member from the Opposition as its Presiding Officer, Mrs. Sucheta Kripalani.

Other Committees set up during Ganesh's term as Speaker include the Committee on Absence of Members from the Sittings of the House, the Joint Committee on Salaries and Allowances of Members of Parliament and the General Purposes Committee.

It is amazing how much was achieved by the First Lok Sabha under Ganesh's direction. The Provisional Parliament and the first Lok Sabha were the base on which the edifice of parliamentary procedures was laid. New situations were being constantly faced and fresh procedures had to be evolved to meet emergent situations. Ganesh was the sheet anchor to the House who kept the ship of Parliament steady amidst the turmoil of an evolving Republic.

Some of the important decisions and rulings handed down by Ganesh in those short, changing years are worth mentioning. They are:

* The Adjournment Motion should not anticipate a debate in the House. If there is a fairly good chance of the matter otherwise coming for discussion on the floor of the House, it may not be permitted on an adjournment motion. An Adjourn-

ment Motion may be allowed only as a matter of exception, where there was no other opportunity or chance for the House to consider the matter.

* A matter is not considered urgent unless brought before the House at the first available opportunity.

* Subject matter of such a motion cannot be a press report as it is not treated as authoritative.

* Interpretation of provisions of the Constitution cannot be a subject-matter of an adjournment motion.

* Debate on a fast-unto-death to compel the government to take a decision cannot be allowed through Adjournment Motion.

* Neither the Chair nor the House need go into ascertaining the facts of a subject matter sought to be raised through an Adjournment Motion.

Rules were also laid down in the matter of Bills, debate, quorum, points of order and so on. There was no aspect of parliamentary procedure that was not dealt with by Ganesh. The rulings were clear and to the point Ganesh laid down that allegations against persons could not be made in the House if they were not present to answer the charges against them. No references could be made about the Lok Sabha that were derogatory or reduced the dignity of the House. A High Court order's merits or demerits could not be discussed and quoting lines from newspapers in support of one's argument was taboo. Power to expunge certain words from the proceedings rested in the discretion of the Speaker. And members were expected to speak in the third person and avoid personal explanations.

In the matter of Ordinances, Ganesh was quite clear that they were undemocratic and he held that they could be promulgated only in exceptional circumstances.

Satyendra Narayan Sinha, who was once chairman of the Estimates Committee called Ganesh's contribution to the role

of Speaker as "epochal". Ganesh believed in forming conventions and as Sinha was to say "much of the respect that he (Ganesh) earned as the first Speaker of the Lok Sabha was due to the conventions he helped evolve while presiding over the House".

Ganesh seldom spoke but one withering look from him was enough to put an errant Member in his place. He built up the Lok Sabha secretariat and zealously guarded its privileges and was often opposed to late night sessions on the grounds that it inconvinienced staff. He was totally independent and would not brook the tactics of the Treasury Benches if they unduly delayed answering questions from the Opposition. He did not think it his business to safeguard the Treasury Benches from possible embarrassment.

He was respected and loved as much by the Opposition Members as by members of the ruling party. Frank Anthony, the Anglo-Indian leader, in a tribute to Ganesh testified as to how Ganesh would not allow any Member to behave indecourously in the House. What pleased Mr Anthony was that Ganesh recognised a Member not by role or some undefined formula but according to his judgment of a member's ability to speak authoritatively on a given subject.

Ganesh was always correct in doing everything, even in the matter of dress. He wanted Mr Anthony to be a leading member of an Indian delegation to a Commonwealth Conference but was not sure whether Mr Anthony would stick to dress regulations. The idea was that Indian delegates should wear the buttoned up jacket on formal occasions. Ganesh summoned Mr. Anthony to his chamber and asked whether he would consent to wearing the formal Indian style buttoned up jacket. Mr. Anthony truthfully replied that he did not own one, but that for official functions he would wear his dress suit with a bow. Ganesh agreed to it. G.Basumatari, former Chairman of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes has described Ganesh as "very disciplined and impartial" who "enhanced the dignity and glory of

parliament", and no truer words were said. That dignity he enhanced not only in practice but in his many speeches to various bodies such as the Conference of Presiding Officers of Legislative Bodies, the Estimates Committee, the Public Accounts Committee, the Committee on Subordinate Legislation and the Committee on Assurances. He addressed not only Members of Parliament which was, after all, his right, but other bodies in which he was interested such as training classes organised by the Lok Sabha Secretariat. He wanted to see trained men and women manning the secretariat and he was willing to give his time and attention to talking to the trainees. He attended Commonwealth Conferences, himself leading the team of parliamentarians. There was no aspect of legislation that he was uninterested. He also frequently wrote on matters pertaining to parliamentary work to educate the public.

Sometimes Members felt that he indulged in too much of hair-splitting. Thus, his views on the work of the Financial Committee. To quote him:

> I may refer to a misconception which seems to exist in certain quarters. Because a Financial Committee is elected annually and because it is charged with the examination of accounts of one year only, it is supposed or urged sometimes that the Committee cannot enter into previous of future accounts. It becomes functus officio at the end of its term and the Committee being elected for one year cannot look into accounts either of the previous year or the subsequent years, because of the fact that it has been charged with the duty of looking into accounts of a particular year. This view is the result of misconception about the character, proper functions, purpose and objects of a Financial Committee. As a Parliamentary Committee, it is a continuous Committee, and though the personnel may change the Committee continues. I may say that it has a perpetual succession and just as all laws made by one Parliament or one legislature do not lapse because of new members from the Legislature on periodical

> elections, similarly the election of a new Committee does not affect the continuous and perpetual existence of a Financial Committee.

This, of course, is like saying that while one may dip a finger in a river, one does not dip the finger in the same river twice because the water keeps flowing. But Ganesh felt that the point should be made. MPs may come and MPs may go, but Financial Committees like Parliament itself, went on for ever.

And precisely because Committee personnel kept changing Ganesh felt it all the more necessary that he address succeeding members almost every year to impress on them their responsibilities. Ganesh furnished the continuity. He was the one constant factor in an ever changing situation.

But his interests were not confined strictly to parliament. He was interested in the wider field of law and various aspects of it. He was concerned with the consequences for example, of the death penalty. Writing once in The Hindustan Times (30 January 1955) on the subject he had an interesting confession to make. The thought of a death sentence, he wrote, always provoked in him "an agonising dislike for that kind of punishment" and consequently, he admitted, he avoided pleading for an accused committed to the sessions court for an offence punishable for death, though, on three occasions he found himself pleading for just such accused. Ganesh wrote:

> The sole reason for my dislike in such cases arose from the fear of the award of the death sentence. I used to feel restless at the mere thought of the sentence. But I can say this now that the restlessness which I used to feel then arose out of an instinct of compassion and fear of death than anything else....

Ganesh had reason enough to think of death because for a long time he was far too close to it than was good for his peace of mind or the comforts of his conscience. He described his predicament graphically in his article.

> I started thinking more about the death sentence when I was in Yervada jail in Poona in 1941. Right in front of the yard in which we were lodged, across a passage, was the chamber of the scaffold and on an average there would be three hangings a week. The condemned prisoners' cells also were nearby. I used to listen to the prayer and Ramdhun which the condemned prisoner would recite on his last night. Next morning the clicking of the chains and the footsteps of the guard leading the prisoner to the gallows would fall on my ears. The creaking of the foot-boards under the prisoner's steps as he climbed up to the gallows, the bang of the falling doors of the platform under his feet, and finally the sudden drop of the prisoner and the final rattle. These tragic sounds the walls repeated week after week and left on me a deep, sad impression and raised a storm in my mind. How could the death sentence be possibly justified....? And the more I thought of it, the more I felt the death sentence was detrimental to the best interests of society, obstructed its progress and prevented the building up of a non-violent society....

In a sense death haunted him. A couple of years before his death M.N. Kaul, then secretary of the Lok Sabha Secretariat entered Ganesh's chamber and found him in a pensive mood. Looking up, Ganesh told Kaul: "Kaul, I do not know when this body may drop dead. Therefore, take immediate and urgent steps to finalise the conditions of service in this Department so that, while I am here, I can help in whatever measure I can and secure for the Secretariat an autonomy because it is of the utomost importance that those who work in this Secretariat should work without fear or favour".

Ganesh had not spoken in that vein before. He wasn't all that old to feel the cold blast of impending death on his face. In 1954 he was around 66 which, even in the early fifties would not have been considered 'old'. Ganesh had led an active, but not necessarily strenuous life. He was a man of regular habits and strong discipline. He neither smoked nor drank. Nor was he a

glutton for food. And there was no reason for him to feel that his days were coming to an end. His energy was amazing. He was seldom at rest while Parliament was sitting. Kaul has attested to that fact. He would say: "Kaul, what are the new things that we are doing? What are the new things in the parliamentary field that we can still try?". According to Kaul, Ganesh's energy was so contagious that "he, as it were, transmitted energy from himself into those with whom he came in contact". His pre-eminence as a Speaker was unquestioned. In recognition of his services and work for the Commonwealth Parliamentary Association, he had been unanimously elected chairman of the Commonwealth Parliamentary Council. It was a fitting tribute to his great work. Indeed, it was through his efforts that the name of that body had been changed from Empire Parliamentary Association to Commonwealth Parliamentary Association. Ganesh's word commanded respect even in Commonwealth chambers. He was listened to because he exuded reasonableness with firmness. He could say: "My mind is made up, I feel clear about it and there is no room for further argument.

VII

Rare Points of Advice

GANESH had an extraordinary sense of responsibility towards his family as indeed he had toward society at large. He cared. It may perhaps have been a characteristic of the age when men brought up large families and felt a commitment to each member. Ganesh had four sons by his second wife and toward the end of his life he wrote down what he called "Points of Advice: to them. He signed the 7-page typed draft of the "Points" on 17 February 1955 but "cancelled and substituted" them by another amplified Note on 9 May 1955 and marked it "Confidential". He had no further occasion to improve upon it or otherwise change it. A few months later he was dead.

He wrote:

"I am inclined to state a few points which I think may be helpful to my sons. It is for them to accept or reject whatever I may state in these points. It is my idea to add up to these points from time to time as any points occur to me.

I have considered it not only proper but necessary to write these points in view of my health and my age. Though I think I have yet a fairly good lease of life (say, from five to ten years) I am carrying, for the last year or two, a feeling that I may drop any time. I am not afraid of the contingency, nor do I carry any anxiety as to what will happen to my wife and children when I

am no more. I have sufficient faith In God and in their own destiny to carry any anxiety about them. I think I have discharged my duty to all members of the family to the best of my ability. I have erred many times or may have even been in fits of temper due to my close affection, but I have always intended their good as also the good of our entire community. It is in this background that I am writing these points.

Till now I am the only person conversant with the financial affairs of the family. Fortunately, I have reliable persons in my staff who, I am sure, will remain faithful to me even after I am no more. Yet I do think it necessary that my boys who will be in charge of the family finances should be conversant with all the details of administration. I do not expect Chi Balasaheb (eldest son Balkrishna Ganesh Mavalankar) to apply himself to this task. Chi Bapusaheb (Vishnu Ganesh Mavalankar) is in England and Chi Nanasaheb (Narahari Ganesh Mavalankar) will be shortly going to Germany and will have to stay there for at least three years. For the time being therefore, the only person who is to be associated actively with the entire administration is Chi Annasaheb (Purshottam Ganesh Mavalankar). I hope he will make it a point to be conversant. He has many irons in the fire and his health is not what I should have liked it to be. I will, therefore, go to the length of saying that he should lessen his activities, improve his health and make himself conversant with the finances of the family.

I think, the present monthly expenditure that we all incur, together or individually, requires some common thought and reduction. The matter is not important just for the present because I get some salary, but the point should be that the total of expenditure should never exceed 75 per cent of the regular income annually. Further, I think, the income from shares in several companies is bound to go down in course of time as a result of the industrial policy of Government. I also think that there will be deterioration in the purchasing value of the rupee in view of the big capital programmes of Government, their expenditure; and there is aways a possibility of inflation. In fact

my boys are, and will be, living in a changing social and economic condition of the country. I should, therefore, like them to keep this in mind, and shape their ordinary requirements accordingly.

For various considerations, I considered it proper and necessary to partition certain properties of the joint family consisting of myself and my sons and a partial partition was effected in 1946. The scheme of the partition was that movable properties consisting of shares, securities etc which were yielding some income was partitioned in six parts, one each for myself and my sons and one for my wife as she is entitled to a share when father and sons divide. There were in all thus six shares—myself, my wife and four sons. Though the partition is effected all will remain as far as possible together in a happy family though not joint in estate. During the course of my life, and so long as I get my income, my idea is to incur all the collective expenses from my income alone. I may here state that in the future, fundamentals of earning and living of people of our type who have been so doing by intellectual pursuits have to undergo revolutionary changes in outlook and habits. Public opinion will regard the intellectuals as parasites, and an employment or a living will be possible only for those who are prepared to toil physically to earn their bread. In other words, the intellectuals have to combine physical labour, and it is only a proper combination of the two that will enable them to live. My boys and their progeny will do well to remember this, and train themselves accordingly. They cannot expect to live merely on returns from ancestral investments nor by the kind of intellectual pursuits that myself and my forefathers carried on to earn their livelihood.

I have mentioned in the foregoing paragraph a few fundamentals regarding certain aspects of life, particularly relating to the kinds of pursuits that future generations will have to follow, but I must not fail to mention and impress upon my sons the greatest fundamental end purpose of human life. Life is not body. It is, therefore, not mere matter. Each one of us has a

mind and a spirit which I think is immortal. The purpose of life, therefore, is not to be measured in terms of material earnings or material positions, but by the way in which one has lived.

I may mention some pertinent questions by way of test to see whether we have lived a proper life. The first and foremost question is, have we been always truthful? I believe God is Truth and Truth is God. To be truthful is, therefore, prime necessity of not straying away from spiritual life. One need not go into jungle or enter any order of sanyasins. A man who is always truthful can be said to be worshipping God every moment of his life and said to live a spiritual life. The necessary implications are that higher values are to be attached to human qualities such as the quality of service of humanity, the quality of loving humanity, the quality of sacrificing for advance of general and individual interest of other people, and so on. Life cannot be measured in terms of positions or enjoyment. If one lives such a life of truth, service and love, he will never be in want of all material needs, and will endear himself to all. In the present circumstances, I think there is greater need for people who live for society and do service to society in all walks of life. My sons should, therefore, be keen to serve rather than on accumulation of wealth or enjoyment of pleasures. Let them remember that our forefathers migrated about 1750 AD to Gujarat from our original home in Konkan as almost beggars. But they had one thing, and that was truthfulness, and that made them come up in the social scale. If, today, I feel proud of anything in my heritage, it is not estate left by my father to me, but the heritage of character and spirit of service. If we cultivate that in large number, then only India will be a real democracy with a great future. I am stating this, as my sons have to live in the future, and I hope they will live on the lines mentioned here. In any case, they will, at least, consider coolly and dispassionately the point of view expressed herein. I have lived my life. Though apparently they will be sacrificing in living as above, even from the point of view of pure selfishness, they will be getting the most from the society, namely, respect and love of society.

On my demise, it will be necessary to declare my assets for the purpose of Estate Duty. I am not fully conversant with these details though the Bill was passed during my Speakership. There are always further chances of the law changing from time to time. They will, therefore, immediately consult a reliable lawyer and go by his advice. I need not mention names, but I may just mention Mr Baburao Mehta, Mr Rajaram G. Patil and Mr Chandrakant Gandhi. My boys will, however, remember always that the lawyer who does the work for the client on his own initiative is now disappearing from the profession. They will have, therefore, to constantly attend to the lawyer of their choice and get their work done. They should not be sparing in payment of proper fees. They would do better to study the relevant Acts themselves.

As regards the Estate Duty, the lawyer will advise. I just mention two important points. One is about the estate that has come to my share on family partition in 1946. We are being assessed according to that partition. The other point is that I am also a member of the joint family which is being assessed separately. I do not know as to whether my share in the joint family property will be liable to Estate Duty or my interest in that simply ceases to exist by the fact of my death. Perhaps the share will not be liable to Estate Duty. This point is to be clarified and declarations made accordingly.

My Will provides separately for my wife, my daughter, and some other relations and dependents of mine. All the same, I would like my sons to behave toward the with such affection and liberality as I myself have been doing. The greatest difficulty would be with regard to my wife. Though my sons are all her children, there are a number of temperamental differences and in view of her rather orthodox views, she may feel herself very uncomfortable. It will be, therefore, the natural duty of my sons to see that they treat her with as much consideration and respect as possible. I need not add more, but I should say that there is no higher deity than the mother for whom any sacrifice is not too much. I believe, I myself practised this ideal in my life.

In case the boys find it difficult to live happily under the same roof on account of temperamental differences of their own or their wives, the better course is immediately to begin to live separately. That will go substantially to maintain the natural love, and they can meet as often as they like. Let each feel the liberty of living his or her own way of life and not feel suppressed. Each one of them will have, therefore, to be very tolerant, not only over ideological differences, but also in respect of day-do-day matters.

The key to a happy life will be to gather round ourselves a circle of loving friends. I include relations in the term of friends. This means, in every matter, the outlook has to be human, and not merely economic or financial. Happiness does not spring from mere possession of money. With a spirit of tolerance, mutual love and preparedness to sacrifice, we are sure to have a good bond of real friends. I think my public life has given me such a kind of circle and I fell happy about it.

I may here quote what the Jam Saheb told me the other day at Jamnagar as advice given to him by his father:

> If you have not learnt or known nothing of the traditions and culture of our family, the great deeds our forefathers did, I do not think any advice of mine for five or ten minutes is going to do you any benefit. I would, therefore, say nothing but only bless you.
>
> My dear boy, remember there is nothing absolutely good or absolute bad in the world. Every bad man has some good points, and you should remember only his good points and forget his bad. The best man has some weak or bad points. Forget those points, and remember the good in him. If you do a good thing to any person, forget it and always do good to others without any expectations of return of that goodness. If any person does you a good thing, please do not forget it, always remember it, and feel grateful. That is the only way of being happy in the world and making others happy.

I should therefore say—take care of all relations and particularly so in cases of those who are in poor condition or in difficulties. Lead an impersonal life in the sense that you must not bear personal hatred, anger, ill-will against any one. Be truthful and just. Do not attribute motives to anybody. We are today suffering more from wrong approaches and prejudicies. Be liberal, specially when we ourselves feel we are misunderstood. Do not carry differences of opinion very much further or to the logical conclusion. Life consists of the art of compromising. This does not mean compromising with principles.

I have always entertained an idea of writing my autobiography. It is not with the purpose of having any publicity. The object is two-fold: (1) Living my earlier days by remembering them; (2) my future generations may perhaps like to know as to what one of their ancestors was. I believe, just as the lives of my ancestors are inspiring, there is something in my life which might inspire some one in the future generation. From this point of view, I have tried to preserve, as far as possible, all old records as also records of my activities. I should like if my boys would do the same. If they care, they can get an amount of material which will guide not only future members of the family, but generally the younger generation. Incidentally, some of the material will be useful for the history of Gujarat from about 1915 till my death.

I think my work can be divided into the following heads:

(i) My practice at the Bar.

(ii) My work in Legislature. Bombay and Central. So far as the Central Legislature is concerned, I think I have given a good turn to the development of democracy.

(iii) My work in the Ahmedabad Municipality. Here, too, I have given some good turn.

(iv) My education efforts: The Ahmedabad Education Society and the colleges. Here, I must confess that whatever the reasons, I feel rather disappointed in the results. I do

not judge the usefulness of the Society by the number of students, and I admit that sometimes I feel that we have failed so far as our objectives are concerned. This feeling is probably due to my changing outlook about the purpose of education. My ideas today appear to be revolutionised, but I have the satisfaction that I tried to do what was considered proper when the efforts were made.

(v) The Gujarat Vidya Sabha has been one of the cultural cum educational institutions for which I have done my best. Though I have not been able to achieve all that I desired, I carry the feeling that I have done what was possible, and I feel very happy at the small band of devoted workers in that institution.

Though there is every possibility of my being alive, say, for a period of five years or so, by which time both Chi Bapusaheb and Chi Nanasaheb will be returing to India, yet who can be sure about human life? Who can foresee the way in which I am destined to pass away? If one passes away suddenly that will be the best death, but there is also the possibility of one lying in bed for a long time. In such a contingency, many people will urge that Chi Bapusaheb and Chi Nanasaheb may be requested to come over to India just to be by my side. However much I would like or appreciate it, I am clear that they should not allow their training to be interrupted on that count. They should continue to study and return only when their study is complete. I am not saying this from the point of view of saving some money. I do not wish there should be any disruption in their training. Further, if any such thing happens, it is only in the natural course of events. However, the ultimate decision has to be left to each of them. I am making my own views and ideas clear so that they need not feel any embarrassment.

I have mentioned all these as above as they may be helpful to my sons to follow more pointedly my aims and ideals in life. If they follow the same ideals of service, I am sure they will enjoy

an amout of satisfaction which one gets from consciousness of having discharged one's duty."

This is an amazing document. It is, of course, not Ganesh's Will. That was separately written and no doubt contained details about his assets, his various holdings and how they were to be distributed as among his family members, relatives and others. This document is what Ganesh called "Points of Advice". It is a curious mixture of hardheaded practical tips on how to live, like let not expenditure exceed 75 per cent of regular annual income to reflections on the philosophy of life. Ganesh was conscious of the need for sacrifice. The word *sacrifice* occurs at least three times in this document. There are admonitions to remain truthful, loving and attentive to the needs of others—advice somewhat trite, for one would presume that most people, in whatever station in life, are generally truthful, loving and attentive to the needs of others. The document switches from the etheral to the earthy with ease. In one breath Ganesh is talking about the need for seeking the spiritual life and in the next he is talking about Estate Duty and wondering whether his share of the property will be liable to Estate Duty. He is loathe to give advice, but gives it anyway. Thus while advising his sons, after his death, to consult a lawyer who is reliable he says he need not mention who should be consulted, but then succumbs to the temptation of naming the lawyers of his choice anyway. Quite early he makes a reference to the then current belief that intellectuals are parasites and that in the years ahead intellectuals may be forced to earn their living by physical labour. It is hard to pin down where he gathered that idea. Stray communists might have been talking about the importance of physical labour, or, for that matter, even some Gandhians, but that Ganesh should take that as the way of life in the future is an interesting comment on his then ways of thinking. Ganesh makes no effort to stimulate in his 'boys' intellectual pursuits. One presumes that he read Shakespeare and he could not have done any better than remind his sons the advice Polonius gave to his son. That still remains a classic bit of advice. Neither a borrower or a lender

be. And this, above all, to thine own self be true. And if you follow this, then thou canst not then be false to any man etc. All that Ganesh could remember was what Jam Saheb received by way of advice from his father. There are no quotes from well-known writers, not even a quote from the Gita. And Ganesh, we know, was reasonably well read man.

He encouraged his sons to read and gave them a liberal allowance to buy books. Once, when he was talking to his sons about the need to cut down on expenditure generally, he light-heartedly reminded one of his sons, Purushottam about the bills he was running up at the book shop.

Ganesh would probably have written his memories had he lived long enough. In this document he does mention his desire to write his autobiography. He never threw away any worthwhile scrap of information. He maintained diaries and meticulously jotted down the things he had done everyday, the people he had met, the actions he had taken and the thoughts that occurred to him. One almost suspects him of being a compulsive writer. It would seem that he had an eye for history, a feeling that future generations should know his contribution to the making of democracy, if nothing else, but again, not out of any sense of personal vantiy but because of a deep belief that history must have the facts straight. Perhaps the only other person with such a sense of history was Jawaharlal Nehru.

He lay emphasis on Truthfulness. In the Visitor's Book of the Laski Institute he wrote: "Truth is God. Therefore, follow what you believe to be true. Let your conscience be your guide. Research means pursuit of Truth and requires the quality of tolerance and a judicial mind".

VIII

Last Fight Against Social Injustice

GANESH WAS VERY active in the early fifties and travelled and addressed many meetings and conferences. He presided over the Local Self Government Bodies' Conference held at Nadiad in Gujarat and he inaugurated the Local Self-

Government Ministers' Conference that met in Simla in June 1954.

He toured extensively in south India in May and June 1955 as later he was to tour Andhra in January 1956. But his health was being put under heavy strain. He was due to attend the Commonwealth Parliamentary Conference at Jamaica in the beginning of January 1956 but his doctors advised against it. However, at the Conference he was unanimously elected Chairman of the General Council of the Commonwealth Parliamentary Association. It was the first time that an Asian member had been thus honoured. But Ganesh was not to preside over the Council.

Ganesh was also scheduled to lead an Indian delegation to the Soviet Union, but again his doctor put his foot down. Similarly, he was due to lead an Indian parliamentary delegation to China but that idea, too, had to be given up. The doctors would not let him go out of their sight.

But they couldn't prevent him from travelling within India. Ganesh was very keen on personally seeing the working of various centres opened under the Gandhi Smarak Nidhi and the Kasturba Gandhi Memorial Trust. Towards that end a tour of Andhra was organised in January 1956. It was to prove fatal.

The three-week tour was to take him to several towns in Andhra Pradesh. Travel in India at the best of times is not easy and thirty years ago things were much worse. But nothing daunted, Ganesh insisted to move about in cars and to inspect the Kasturba Centres. His devotion to his duties was total. He was as dutiful towards his job as chairman of the Kasturba Trust as he was to the Speakership of the Lok Sabha. The only time he absented himself from Parliament was when his mother fell terminally ill. During all those weeks Ganesh stayed back at home, nursing his mother—she who had brought him up with so much love and care. Ganesh wrote to Jawaharlal Nehru that he felt duty-bound to take care of his mother in her last days and will have to be excused from his regular duties as Speaker. Jawaharlal, of course, understood.

Now, it seemed, it was his turn to fall ill. He was in Vishakapattanam when he had a heart attack, on 27 January 1956. The doctors immediatly grounded him and all his public engagements had to be cancelled. He stayed in bed for three days and felt better. Then it occurred to him that he had heard of a near-by temple for Harijans that had been consecreted by Gandhiji in 1933 and he felt it his duty to visit it. He insisted on seeing it against medical advice. He undertook that short journey, examined the temple and gave instructions to the local staff of the Gandhi Samarak Nidhi to take good care of it.

He was accompanied by Dr Lanka Sundaram who took upon himself the task of reducing the work load on Ganesh. Ganesh authorised Dr Lanka Sundaram to send a telegram to the press and to his friends in Bombay and other places that he did not have a heart attack and was proceeding to Ahmedabad on 30 January.

On the way from Vishakapattanam to Bombay he broke

Journey at Raipur in Madhya Pradesh where he gave an interview to the press. He told the press that after the dissolution of the first Parliament in 1957 he would definitely retire from political life and thereafter devote all his time to constructive work in rural areas. He had other things in mind, too. He had no reason to fear death. Cardiograms taken both in Vishakapattanam and in Bombay en route to Ahmedabad had revealed no symptoms. It was generally believed that Ganesh had over-exerted himself and all that he needed was perfect rest. That he hoped he would get in his own home in Ahmedabad which he reached on 5 February 1956.

Apart from constructive work, he had other irons in the fire. There was the National Rifle Association which he had founded and in which he took great interest. He also wanted to do a lot of writing. While in jail he had written the history of the struggle of the Ahmedabad Minicipality for the independence of the country, but the manuscript had remained unrevised. He wanted to prepare the book for the press. He also wanted to write his reminiscences, especially of Sardar Vallabhabhai Patel. He had started work on his own autobiography, a few chapters of which he had written years ago, but never completed. He wished to complete that work. In the circumstances his sudden illness irked him.

On his arrival in Ahmedabad on 5 February he was ordered straight to bed and told not to undertake anything strenous. He was not even permitted to write his regular diary. He did the next best thing: he dictated some thoughts to a stenographer on 16 February and 17 February which proved to be his last recorded words.

2

Thursday, 16 February 1956

My visit to Hyderabad and Andhra

I decided to undertake this visit for 22 days. I was told by a few friends that I was, perhaps, doing too much. I explained to

them that I had arranged the programme in such a way that I would not overstrain myself. So I started with confidence that the journey was not more than what my body would stand. Things, however, unfortunately turned otherwise mainly because of some misunderstandings and miscalculations.

We passed quite a happy five days in Hyderabad with a regular programme. We were properly housed and had regular hours of rest and meal. But I feel now that the engagements had been kept one following the other, even though after rest and were strenuous. It was a mistake to have done so. Neither Gyankumari nor myself had realised the mistake. So, no one is to blame. But I was happy that I could pull through the programme without any sense of fatigue.

I need not detail all that we did in Hyderabad but I feel immeasurably glad and happy over the future of the country, not that the things were great in themselves, but everywere I could see a spirit of new life and the desire for progress.

Sarvodaya Kendra, Shivrampalli

Frankly speaking, I did not feel much interested in Hyderabad itself with its beautiful and palatial buildings, the wide streets and the rest. The least was I impressed by the University. But I was impressed very much by the Sarvodaya Kendra, Shivrampalli. It was a new conception of life to which they are giving shape.

Friday, 17 February 1956

I did not see there the mere stress mainly on labour or intellect. It appeared to me a happy synthesis of both. Man is made of body and mind and it follows that he should have a way of life suited to the equal growth of each. This picture, apart from the natural beautiful site, was very pleasing and enchanting for me. I was, as it were, moved to some kind of ecstasy when I was there.

We went round the Ashram grounds, saw so many things and did even plant two grape creepers. But this was nothing. The important thing is the entire conception of life and the effort to realise it through a practical life. So we finished the Shivrampalli visit and I returned a very happy man having learnt much about the real *Sarvodaya*. That I thought was the way of life for each one of us. If we would take to it, then only our future appears bright.

Jai Jawahar Colony

Thereafter, I saw a number of things which one saw good. But what appealed to me most was the effort of the Harijans to rehabilitate themselves. I was more glad that it was an indigenous effort and they have the urge for it. The difference between the Harijans and the non-Harijan has to be only a passing phase, because, ultimately we have all to be welded into one and what appears to be an economic or social problem for the Harijan is unfortunately not confined to them alone but it engulfs all, including, if I may say so, the most advanced communities. What is the social structure today, what is our national economics, if at all we can be said to be national? What are our national ideals today? The more I see, the more I feel that we of the supposed higher classes have been habituated to be kind, to be charitable towards the so-called lower classes but we lack the essential quality of feeling uneasy and distressed at the distress of the world. We are giving out of our plenty. We are doing nothing to share the misery of our ill-fated brothers and sisters. We no doubt give mostly from our surpluses and in some cases foregoing our needs also, but after all what is the general picture of our society? The general picture seems to be 'everybody for himself and nobody for society' This very much depresses me. At times, therefore, I feel like leaving everything and assuming the role of a medicant. Unfortunately, I have not the guts to do. I known my whishes cannot turn out to be horsed. But let me leave this.

Considering the question of Sarvodaya Samaj, I have been

led to a further line of thought. What is it that we can do, howsoever humble it might be, to remove or do away the huge inequalities in which man has become the beast of prey, and here I frankly admit I have dashed against the wall of despair. I see no light and ever since my illness on the 6th February, I am earnestly praying for light. But alas, I get no light! I feel that I am deprived of the light. But I also feel that something has to be done, however humble, however small, and that which shall well take roots, and spread in course of time.

I naturally turned to prayers. Unfortunately I cannot concentrate. But what little I could do has led me to feel that the salvation of mankind lies not in the direction in which we are now moving. We want some other thing.

What is that something?

I cannot say. It is impossible for me to do so.

3

Those were Ganesh's last recorded thoughts. They show him confused, indecisive and fumbling. For a man who had precise ideas on how to be a Speaker, how to run Parliament and how to handle diverse people, his admission of helplessness is strangely fascinating. At the end of his life Ganesh was looking for answers to the problem of poverty and ignorance and squalor and could find none. He was unable to concentrate, unable even to pray for guidance.

He had come home on 5 February. The days passed. Confined to bed, he gave himself to reflection. On 6 February he felt pain in his chest. The doctors were called. A cardiogram was again taken but it showed nothing. Ganesh had booked accommodation by train for his departure to Delhi on the 13th for the budget session of the Lok Sabha but he was asked to postopone his departure by a few days. He did not immediately cancel the reserved accommodation but decided to wait hoping to recover sufficiently by the scheduled date.

But now he began to get pain off and on and on the night of 8 February, doctors were again summoned. Once again a cardiogram was taken but this time it revealed a fairly alarming heart condition. He should probably have been removed immediately to a hospital and placed under intensive care, but instead he was told to stay in bed and not to move. On the night of 9 February he had another heart-attack. Doctors feared his end could be near. Two of his sons were then abroad, one in England and another in Germany and they were summoned by phone to come home immediately. Both arrived in Ahmedabad on 12 February. Ganesh was pleased to see them.

Similarly, a large number of his relations were also summoned from various places in Gujarat and Maharashtra by telephone and telegram. All of them responded. Ganesh was happy to see them all by his side. In order not to tire him, doctors forbade all visitors to his bedside. It was getting to be difficult to keep away his friends and admirers. Inquiries kept pouring in. The phone kept ringing all the time.

He had yet another heart attack on the 18th. By then he had grown considerbly weak, but he remained cheerful and was still confident of recovering. Except that he had grown thinner and a little paler, there were no signs of approaching death. Indeed, Ganesh kept hoping that he would be able to leave for Delhi quickly enough. It seemed as if he was slowly recovering. The doctors' daily bulletins began to appear more and more re-assuring. The last bulletin issued only a few hours before his demise on the 27th morning at 7.50 a.m. stated that no more bulletins would be issued as his health was definitely improving. Unfortuantely it proved to be the last bulletin indeed for not long afterwards he suddenly collapsed. The doctors had left. The family had heaved a sigh of relief that the worst was over and had left Ganesh to rest. When the end therefore came, he was alone, with nobody near him. It was only when somebody peeped in that it was discovered that he had quietly passed away. As a friend noted, death had cheated them all.

4

Prime Minister Jawaharlal Nehru had been kept informed all along of Ganesh's condition and early on the morning of 27 February, his son, Purshottam had assured the Prime Minister that Ganesh had shown a slight improvement the day before. He was again to call up the Prime Minister that his father had passed away at 7.50 a.m.

Jawaharlal, like so many others, had come to accept Ganesh as a permanent fixture in the Lok Sabha. As he told the Lok Sabha that met that very morning, "I must confess that I, and I think perhaps some others, had to so much used to Shri Mavalankar as our Speaker and had come to rely so much on the way he could deal with any situation that might arise with calmness, with courtesy, and at the same time with firmness, that we could hardly think of this Parliament without him". Mavalankar, said Nehru "was an inseparable part of it, the cementing link between all of us". He said:

> It is now nine years, I believe, since some of us, including me, started functioning in these Assemblies. They were the last days of the old Assembly, then, the Constituent Assembly, and then the Lok Sabha. Throughout these early days, difficult days, formative days, it was Shri Mavalankar who sat as the guiding deity, helping us, chiding us, trying to keep us in the right path, laying down and making precedents to be followed later, and moulding the development of parliamentary life in India, of course, mostly in the Lok Sabha. In another field, every year, as you know, he gathered together the Speakers of all our State Assemblies and discussed various matters of common interest with them, because he was anxious that the foundations of parliamentary government should be well and truly laid here. He had considerable experience himself because, as the Lok Sabha knows, he became Speaker of the old Assembly and functioned there for a considerable time.

> I must confess that I, and I think perhaps, some others, had got so much used to Shri Mavalankar as our Speaker and had come to rely so much on the way he could deal with any situation that might arise, with calmness with courtesy, and at the same time with firmness, that we could hardly think of this Parliament without him. He was an inseparable part of it, the cementing link between all of us. Therefore, his passing away apart from the obvious personal sorrow involved, is a break from our tradition, from almost an institution that had grown up here. No doubt this parliament, and all of us, will carry on our work. The world goes on. The Parliament goes on. India goes on, undoubtedly. Nobody is indispensable, whoever he might be. But the fact remains that if a person was considered an intimate part of this Parliament, as almost to be indistinguishable from its working, it is Shri Mavalankar and his going away, for the moment, leaves the Lok Sabha almost like a headless body, leaving a gap behind, which is very, very difficult to fill.

Jawaharlal then mentioned the work done by Ganesh for the Gandhi Memorial Fund etc and what a large burden he took upon himself and how he looked into every detail. The Prime Minister added: "Some of us, sometimes, were a little too impatient at his thoroughness, because his thoroughness involved some delay in coming to decision—but it was a very good thing that he was so through. Then he added:

> He was the first Speaker of the Lok Sabha and his name I am quite sure, will be associated with the Lok Sabha and with our Parliament for long periods to come as a person who gave it shape, gave it direction and gave it the stamp and impress of his personality.

Jawaharlal named Ganesh as the Father of the Lok Sabha, which indeed he was. Understandably, there were tributes from others. Home Minister Govind Ballabh Pant described Ganesh as "a pure gem and reflected and radiated light, kindliness,

cleanliness and purity wherever he went". Pant said that Ganesh was" a truly great man, a pure soul, a leader of men who laboured selflessly and steadily at the cost of his health for the relief and succour of the needy". The Home Minister called Ganesh "one of the best and noblest of men" a man of "Profound culture" who befriended those whom nobody would ordinarily give attention".

Tributes to Ganesh came from near and far away. Many spoke about the innumerable kindnesses he had shown them. Many wept. "He was like a father to me" said M.N. Kaul, Secretary of the Lok Sabha secretariat. The final word was said by the Government of India in a Gazette extroordinary, dated 27 February 1956.

> Shri Mavalankar made a unique contribution to the moulding and development of parliamentary life and institutions in India. As the first Speaker of the first Parliament of Independent India and later of the Lok Sabha, he was truly the Father of the Lok Sabha and gave it shape and direction under the impress and stamp of his personality. In the death of Shri Mavalankar the nation has suffered an irreparable loss. The memory of his great qualities will however be enshrined in the hearts of the people and inspire future generations.

Appendix

THE SPEAKERSHIP of the first Parliament of free India was only one of the many posts that Ganesh held with distinction and carried out with aplomb. His services were needed, it seemed, everywhere and he was on many associations and committees in one capacity or another. Here below is a partial list of the organisations with which he was closely connected:

President, Constitution Club, New Delhi.

President, Indian Branch, Commonwealth Parliamentary Association.

President, Indian Branch, Inter-Parliamentary Union.

President, General Council, Commonwealth Parliamentary Association.

Member, Executive Committee Hansard Society, London.

President, Conference of the Presiding Officers of the Legislative Bodies in India.

President, Kasturba Gandhi Rashtriya Smarak Trust, Kasturbagram, Indore.

President, Gandhi Smarak Nidhi, New Delhi.

President, Gandhi Leprosy Foundation, Wardha.

President, Svayat Shesan Akhil Bharatiya Sangathan, Bombay.

President, All-India Education Society, Bombay.

President, Asian-African relations Association, Calcutta.

President, Bharatiya Foreign Relations Associaton, Lucknow.

President, Indian National Rifle Association, Ahmedabad.

President, Ahmedabad Military and Rifle Training Organisation.

President, Ahmedabad Education Society.

President, Gujarat Vidya Sabha.

President, Brahmachari Bari Samiti, Ahmedabad.

President, Gujarat University Trust.

President, Lok Prakashan Ahmedabad.

President, Bharatiya Sahitya Sangha, Ltd, Ahmedabad.

President, Gujarat Medical Education Society, Ahmedabad,

Trustee, Harijan Ashram, Sabarmati.

President, Maha Gujarati Khadi Mandal, Ahmedabad.

Trustee, Birla Education Trust, Pilani.

Member Council, Bharatiya Adam Jati Sevak Sangh, Delhi.

President, Charotar Shikashan Samstha, Anand.

President, Charotar Vidya Mandal, Vallabh Vidyanagar.

Trustee, Satyaryakajak Sabha, Dhulia

President, Gram Vikas Sangh, Nainpur (Gujarat).

Trustee, Lokbharti Gram Vidyapith, Sanosara (Gujarat)

Trustee, Jeevan Bharati, Surat.

President, Shri Krishna Janmabhoomi Trust, Mathura

Additionally, he took a deep personal interest in the following organisations though he was not offically connected with them.

National League of Pen Friends.

Gujarat Vidyapith. Navajeevan Karyalai

Bardoli Swaraj Ashram

Berchchi Ashram Raniparej Seva Ashram.

Gujarat Sahitya Sabha.

Gujarat Research Society.

Harold Laski Institute of Political Science, Ahmedabad.

Friends of the Soviet Union.

Indian Council of World Affairs, Delhi

Mahagujarat Ayrvedi Sangh, Nadiad.

BUILDERS OF MODERN INDIA

PUBLICATIONS DIVISION
Ministry of Information and Broadcasting
Government of India